

I believe the following changes should be made to the Coal Mine Subsidence Compensation Act:

1. The rebuttable presumption needs to be changed that in undermined homes, subsidence caused by mining is the number one cause of damage. At the moment the onus is on the householder to prove damage was caused by mining. At the moment Subsidence Advisory NSW are the judge and jury deciding whether or not they caused the damage (often blaming unusual weather, tree roots, etc.). 40% of Tahmoor claims were denied.
2. Building inspectors/builders/etc. should be of RESIDENTS CHOICE, qualified and independent (at full cost of the mine). A resident should not be restricted to use so called 'independents' contracted by the mine.
3. The compensation review process needs to be handled by an independent body not affiliated with Subsidence Advisory or any mining company. At the moment Subsidence Advisory NSW is able to deny a claim then also handle the review of any dispute for that claim. Subsidence Advisory are the Judge, jury & the appeals process.
4. Rebuilds should be a direct replacement of what was lost (at full cost of the mine company) ie size, fit-out, style, etc. At the moment Subsidence Advisory NSW want to restrict future building in Bargo NSW to a level 4 Guideline, imposing restrictions to the size/style of a new build. Example - if they destroy a 40sq double storey home beyond repair, they will restrict that rebuild to a single storey 26sq home.
5. No gag orders on residents. At the moment compensated home owners are required to sign a lifetime gag order. If Subsidence Advisory believe their compensation to be fair, then why prevent residents from ever discussing their experience?