

“Reclaiming our Valley”

Hunter Communities Network

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Submission Stage 2 - Integrated Mining Policy

The Hunter Communities Network (HCN) is an alliance of community based groups and individuals impacted by the current coal industry and concerned about the ongoing rapid expansion of coal and coal seam gas exploration and mining in the region.

HCN welcomes the NSW Government’s approach to improving regulation of mining in NSW. The important guidance provided in the documents released as part of Stage 2 of the Integrated Mining Policy (IMP) will improve transparency and consistency, particularly in relation to post-approval reporting and auditing processes. This guidance is important for both the industry and the community.

We consider that real improvements in mining regulation across the State will occur if key elements of the IMP become mandatory and enforceable rather than remain only as policies and guidelines.

HCN is disappointed that the proposed Guidelines for Economic Assessment were not included in Stage 2 of the IMP. We also consider it critical that the mining industry is provided with clear guidelines for conducting cumulative impact assessment, social impact assessment and community consultation during the assessment and approvals process.

We congratulate the NSW Government for the recent reversal of the imbalance in the Mining SEPP through the removal of Clause 12AA. However, we consider there are a number of other provisions in the Mining SEPP that need to be addressed so that communities and the environment are better protected.

HCN submits the following comments on the documents released as Stage 2 of the IMP:

1. Planning Agreement Guideline

Having a guideline to assist Local Government negotiations with multinational mining companies is a positive step in the planning process for State Significant Mining Development. It is critical that impacted communities gain social outcomes and improved infrastructure to cope with sudden influx of temporary workforces and contractors.

HCN considers that a formula including size of mine footprint, workforce, production rate and distance from nearest town would assist the negotiations, particularly for greenfield sites in LGAs with no previous experience of the impacts of large mining projects.

2. Annual Review

Improved annual reporting requirements for large mine projects is critical for their regulation and for transparency. The size and complexity of the impacts of large open cut and underground mining operations in the Hunter Region require consistent and open reporting mechanisms.

We welcome the provision for a Statement of Compliance at the front of the annual report. The report should also include an outline of all Management Plans, their current status and key requirements in relation to conditions of consent. The achievement of their requirements should be included in the Annual Review.

Any planned or assessed project modification proposals should be flagged in the Annual Review with an indication of changes to conditions of consent and current Management Plans.

The operations summary should also report the number of full time jobs against those predicted in the EIS and an indication of where those workers are based. It is important to have an understanding of the impacts of DIDO and FIFO workforce on local communities.

All reporting on water related activities and licensing should be in the one place in the report.

Biodiversity offset management, revegetation and regeneration progress must be included in the environmental reporting.

3. Web-based Reporting

HCN considers that each mining operation in NSW should be required (rather than just encouraged) to publish information about the operation on a public website.

An archive of all assessment documents including modifications and expansions should be available in reasonable sized segments for download.

All Management Plans required by consent conditions should be readily available and easy to find.

A consistent method of labeling and posting various reports should be a requirement for all mine websites to improve public accessibility eg clear headings/links for monitoring reports, management plans, annual reports etc.

4. Independent Audits

While HCN strongly supports the need for regular independent audits of State Significant mining operations, we do not support industry selecting their own auditors.

It is imperative that the NSW Government select a team of suitably accredited independent auditors to carry out regular audits at the industry's expense.

Also, any technical specialists used during the independent audit should be members of an independent team appointed to assess and review EIS for mines. There will then be comparative technical information against which to audit compliance and veracity of model predictions.

The employment of independent specialists and auditors will eliminate any possibility of bias or conflict of interest and improve community trust in the process.

HCN considers that consultation during the independent audit should include affected community representative bodies such as Progress Associations. This is particularly important in relation to complaints response, monitoring activities and reporting, and community consultation practices of the company and staff.

5. Water Policy and Regulation (summary document)

This overview document demonstrates the complexity of water management in relation to mining activity in NSW.

A more user friendly layout with hyperlinks to all relevant information would be useful.

It is important that the process of identifying cumulative impacts on water source integrity, water quantity and flows, and water quality is clearly outlined.

6. Frequently Asked Questions

The FAQ document indicates that a transition process will occur once the IMP is finalised. HCN requests that consultation with affected parties include the relevant Community Consultative Committees.

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