



# Hunter Environment Lobby Inc.

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Executive Director  
Resources and Industry Policy  
Department of Planning and Environment  
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## **Submission Integrated Mining Policy – Stage 2**

Hunter Environment Lobby Inc. (HEL) is a regional community-based environmental organization that has been active for over 20 years on the issues of environmental degradation, species and habitat loss, and climate change.

HEL has taken a particular interest in the planning, approvals and regulatory processes in regard to the cumulative impacts of the coal mining industry in the Hunter Region.

We consider that the rapid expansion of open cut mining operations since the turn of the 21<sup>st</sup> century has had significant and long term irreversible impacts on the natural resources, ecosystem services and social cohesion of the region.

We welcome the opportunity to comment on the second stage of the integrated mining policy and congratulate the NSW Government for taking this important step.

However, as outlined in our submission to Stage 1, we consider that the issue of cumulative impact of large scale open cut mining operations is not adequately assessed or taken into account in the planning process. It is critical that a clear set of guidelines are developed to assist the mining industry, their technical experts, the Department of Planning and Environment and decision-makers in procedures for extensive assessment and consideration of cumulative environmental and social impacts.

The following submission will provide comments on the documents released in Stage 2 of the new planning policy approach for mining activity in NSW.

- Planning Agreement Guideline
- Post Approval Guideline – Annual Review
- Post Approval Guideline – Web-based Reporting
- Post Approval Guideline – Independent Audits
- Water Policy and Regulation (summary document)

### 1. Planning Agreement Guideline

HEL supports the Planning Agreement Guideline in that it provides greater transparency and clarity around the process for Local Government to negotiate Voluntary Payment Agreements.

### 2. Post Approval Guideline – Annual Review

This proposed guideline is an important improvement in the planning process for State Significant mining projects. Improved transparency in annual reporting is critical for regulation, compliance and community consultation.

The requirement for an upfront simple statement of compliance with consent conditions is a positive move forward for clear reporting on the performance of the mining operation.

We would like to see these guidelines improved by the addition of the following requirements:

- a. That Section 6 of the Guideline include a report on the status of Management Plans and the achievement of the outcomes identified in these plans.
- b. Clear guidelines on reporting of management requirements for biodiversity offset areas
- c. All water related management activities, including water licence use, water balance, discharges and salinity trading scheme activities, should be in a single section of the Annual Review
- d. Plans and assessment for modification of the project, including justification and implications on existing consent conditions, should be flagged in the Annual Review

### 3. Post Approval Guideline – Web-based Reporting

This guideline is a positive approach to improved transparency. We strongly suggest that every mining operation be required to make consistent and comparable information available to the community, including all monitoring data, in a usable format.

Consideration needs to be given to the size of documents provided. Assessment reports must be available in reasonable sized segments for download and archived on the proponents website as well as the Department of Planning website.

All current Management Plans must be clearly available with an indication of their status, if under review and update.

### 4. Post Approval Guideline – Independent Audits

HEL considers that independent audits of compliance with consent conditions is critical and should be conducted by an independent team of auditors selected and employed by the NSW Government.

It is inappropriate for the mining industry to select and employ their own auditors.

The regular independent audit should include broader consultation with the community beyond the chair of the Community Consultative Committee. Organisations representing affected communities (eg Progress Associations) should be consulted, particularly in relation to complaints reporting and response, and monitoring processes.

5. Water Policy and Regulation (summary document)

This document could be better formatted and identified as an overview of existing policy and regulation for water management in the mining industry.

The relationship and hierarchy between the various regulations is unclear. The requirement for assessment of cumulative impacts on water source integrity, water quantity and flows; and water quality should be identified.

HEL considers that the approach to the Integrated Mining Policy is a positive step forward for improved regulation of the mining industry in NSW. We are disappointed that the proposed Guidelines for Economic Assessment have still not been released as part of this process.

We also strongly encouraged the Department of Planning and Environment to develop a set of Cumulative Impact Assessment Guidelines and Social Impact Assessment Guidelines.

Yours sincerely

A handwritten signature in black ink that reads "Jan Davis". The signature is written in a cursive style with a large, sweeping initial 'J'.

Jan Davis  
President