

Executive Director,
 Resources Assessment & Business Systems,
 Department of Planning and Environment,
 GPO Box 39, Sydney NSW 2001

Via online submission

Revised Community Consultative Committee Guidelines for State Significant Projects

Thank you for the opportunity to comment on the draft Revised CCC Guidelines.

In making my submission I have referenced the previous 2007 Guidelines together with the guidelines contained in the Draft NSW Planning Guidelines Wind Farms December 2011 (Appendix C – Guidelines for wind farm CCCs).

I am also a member of a current CCC for a project approved under the previous Part 3A planning laws.

Overall I support the Revised CCC Guidelines February 2016 noting the following comments and suggestions.

Item	Page	Reference	Comment
1	3	Bullet point 3 related to Purpose of the Committee heading on previous page. 'Review draft management plans & provide suggestions for improvement'	Suggest this should include reference to reviewing the framework of the Community Enhancement Program Fund (or equivalent). In many cases the committee for the CEPF will not be the CCC however the CCC should review the intended framework for the CEPF. A similar provision exists in the Draft Wind Farm CCC Guidelines but mentions 'advise on the allocation of community enhancement funds in the community' which is not appropriate if the CCC is not the same committee as the CEPF committee.
2	3	Members of the Committee – bullet point 2 'Three to five community representatives, including in some cases representatives from environmental groups'	Unlike the Draft Wind Farm CCC Guidelines no provision has been made for landholders that may be directly affected by the project. Specifically in the Draft WF CCC Guidelines it states: 'five to seven representatives of the local community and other stakeholders, including at least two representatives of any landowners that own houses within 2km of a proposed wind turbine'. Provision should be made, regardless of whether it is a mining, wind farm or other state significant project, to enable sufficient numbers of community representatives which would include those potentially most affected by their proximity to the project. Suggest an appropriate reword of the provision mentioned above currently in the Draft WF CCC guidelines. There is no guarantee that an affected landholder would apply to be on the CCC, however, by including the provision the opportunity specifically exists. Further a minimum of 3 may be insufficient to adequately represent residents in a community when you consider that a good mix on a CCC will often include members of local business eg. Chamber of Commerce and in your current draft may also include a rep from an environmental group. Suggest community representatives should

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			be 5 to 7 which will cater for good cross community representation. If the CCC does not attract the minimum 5 then it should be allowed to run with less.
3	3	Membership of the Committee – bullet point 3 – One council representative’	This should be expanded to included ‘or if project crosses multiple council areas then one council representative for each area’
4	4	Last para on left related to Independent Chairperson heading on previous page; ‘The Independent Chairperson will report annually Department deems it appropriate’	Add the following at the end of the sentence: ‘and make this report available publicly.’ This was in both the 2007 guidelines and the Draft Wind Farm CCC Guidelines but appears to have been removed.
5	4	Community representatives second para: ‘Employees or contactors of the Company are not eligible to be appointed as community representatives.’	This should be extended to also include ‘host landholders’ or similar wording so that for projects like wind farms where the land is leased the owner of the land cannot be a committee member as there is an overwhelming conflict of interest.
6	6	Training and location of meetings – last para re multiple CCC within an LGA	I support this inclusion as it is not mandated but a consideration for the CCCs. Important benefits can be gained by sharing information and in the cases where projects are very close together the opportunity for joint mitigation measures and solutions. New project CCCs could benefit from the experience of existing CCCs.
7	7	Minutes of meetings – there is reference to ‘draft’ minutes in paras 2 and 3	The word draft should be removed. CCC chairperson and members should respond to the Company when the minutes are distributed and corrections are made before the minutes are placed on the website. The minutes are still adopted in the normal way at the next meeting. It is too confusing and can potentially provide incorrect information if draft minutes are placed on the website which are not corrected until the following meeting, which is likely to be 3 or 4 months later.
8	9	Para 4 related to ‘Responsibilities of the Company’ on the previous page: The company shall forward to each Committee member within 28 days of the committee meeting	For some CCCs they may wish to agree to have the minutes out earlier than 28 days. Provision should be made for this. Suggest reword: ‘The company shall forward to each Committee member with 28 days of the committee meeting, <i>or such shorter period as agreed by the committee</i>
9	9	First bullet point related to ‘Responsibilities of the Company’ on the previous page: A copy of the draft minutes (if they are recorded by the Company)	Again remove the word draft.

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10	12	<p>Second column – Want to contribute to your community?</p> <p>First para ‘...with at least three members representing the local community</p>	<p>Refer it Item 2 above. This number may need to be increased to 5 pending the final decision on Item 2. Alternatively it may be easier to remove the wording re minimum number of 3 within the advertisement.</p>
11	12	<p>Sample advertisement for nominations</p>	<p>Should include a link to these CCC guidelines so applicants can see the full criteria and expectations.</p> <p>The link can either be to the location on the Department’s website or to ensure the link always works to the company’s project website where they should keep a copy of these guidelines and the advertisement.</p>
12	14	<p>Code of Conduct Agreement</p> <p>Bottom of page</p> <p>‘This signed nomination form</p>	<p>Should read</p> <p>‘This signed Code of Conduct Agreement ...’</p>

Submission made by:
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