

NSW Department of Planning and Environment
22-33 Bridge Street
Sydney 2000
31.03.2016

Submission on Revised Community Consultative Committee Guidelines for State Significant Projects

Thank you for the opportunity to provide feedback on the draft updated *Community Consultative Committee Guidelines for State Significant Development Projects* (the *Draft Guidelines*). I am a member of the Russell Vale CCC and we had to fight not only Gujarat NRE but also the NSW Planning to have a CCC at the mine. NSW Planning provided a condition in GNRE's approval to instigate their own formatted community consultation system. It outraged the local community and set the parties against each other, as it has ever since. This should never have occurred and it would have been skilful for NSW Planning to be more sympathetic and understanding of the community's situation.

My Recommendations

1. Genuinely Independent Chairperson.

We have a Chairperson who seems to be running the meeting as fast as possible. As if they are paid only for a certain amount time and want to ensure that they don't run beyond that time. As opposed to the community that gives up its time with no remuneration at all.

We have a Chairperson who has stood aside when a mining representative was verbally abusing a community member and has never apologised for that lapse. Clearly defending the miners point of view, rather than being unbiased.

The Chairperson has to be truly independent.

It would be good if the Government could create a pool of independent professional facilitators to draw on when selecting a Chairperson for a CCC. This process should be done without involvement from mining companies, but funded by the mining companies. The pool should be updated on an ongoing basis and comments from the community about the facilitators should also be recognised.

2. Selection of community representatives

The selection process for members is an improvement on the present situation.

I do not believe that local business interests, including local Business Chamber, should be permitted to fill community representatives places on a CCC.

I do not believe that people having any business interests in the mine should be permitted to fill community representatives places on a CCC. (Contractors of any sort to the mining company, tenants of any of the mining company's property, associates of any of the mining company or recipients of donations or sponsorships.)

3. Community representatives given adequate training and reimbursement.

There should also be a requirement for a company to pay for training for committee members, where the Chairperson agrees that training is required.

We submit that a company should be required to reimburse CCC members' travel costs and any other reasonable and unavoidable expenses they incur while fulfilling their obligations to the CCC.

There is no reason this should be optional for the company.

4. Members nominate their own alternative member.

The selecting an "alternative member" to sit in for community representatives when they are unable to attend a CCC meeting or site visit should be up to the CCC member themselves.

This is particularly important when it comes to site visits in terrain that the CCC member cannot access.

I believe it is also vital that the CCC member be allowed to invite members of the public to observe the meetings. This is necessary to uphold complete transparency in the process. It

gives the opportunity for the community to observe the mood at the meetings and the reluctance of the mining companies to provide information. This cannot usually be conveyed in the minutes.

5. Effective distribution of CCC information.

There needs to be a defined mechanism for distributing the information discussed at CCC meetings to the rest of the community. It's not fair to expect unpaid community representatives to fully carry this responsibility. Often, people do not have the time or resources to do this effectively.

There could be a simple CCC Newsletter prepared and distributed at the mining company's expense. This newsletter should be approved by the CCC via email prior to release and issued within a limited time frame.

We have a mining company that promised to use their own community consultant strategy above and beyond that of the CCC. It contained several things, one of them a shopfront display in the community, none of the items have ever been instigated.

6. Meeting procedure and company responsibilities

There is a general lack of openness, transparency, and good faith from mining companies in their approach to CCC's, and far more direction is needed in the Guidelines to ensure companies carry out their obligations effectively.

I do not believe that the minutes should be taken and distributed by the company. It is often in the company's interest to misrepresent or downplay the concerns of CCC members, and the discussions and outcomes of the committee.

Minutes should be distributed to CCC members for correction and comment within ten days of meeting.

All company reports, reviews, monitoring data, audits etc should be written up and distributed to CCC members at least a week in advance of the meeting.

I believe that matters such as modification applications should be discussed at the CCC prior to submission to the Govt Departments.

All approval and relevant documents should be available at all CCC meetings.

7. Timing of CCC formation and meeting frequency

Four meetings a year is a good minimum and the frequency should be increased for modifications, planning applications, environmental breaches and reportable incidences. The meetings should be held at a neutral location.

8. Information and timing

Considering cumulative impacts of a project is a sensible and realistic addition but these impacts need to be addressed rather than merely discussed.

In our CCC, there is not a set time to respond to question put forward by members. As it stands now, the period is from CCC meeting to CCC meeting. We phone a mine representative and they do not call back. We send an email and it is put off until the next meeting. A time period of 10 days should be allowed to answer email questions.

All information pertaining to the approval and operation of the mine should be discussed. We have a situation where the waste emplacement area is approved by local Council and they only include it on the community's insistence.

Financial matters about the company should be answered at the CCC meetings if the mine is non-compliant because of lack of finances.

There should be a mechanism where the community can register a vote of no confidence against a company's handling of an item.

There are numerous items that the mining company promise during the planning process that never come to fruition. There should be some method of recording these items for easy reference.

Thanks, again, for the opportunity to provide comments on the *Draft Guidelines*.

Comments of revised CCC guidelines March 2016 – Gavin Workman

I am sure I will think of further things once I have sent this.