

Submission regarding the “Community Consultative Committee Guidelines – State Significant Projects Final Draft February 2016”

Submission made by Steve Toms, Independent Chair of the White Rock Wind Farm Community Consultative Committee (WRWF CCC) 13 April 2016.

This submission, whilst not endorsed by a CCC meeting, has been circulated to current members of the WRWF CCC with the opportunity to comment prior to forwarding to the Department of Planning and any comments incorporated.

My comments are made primarily with reference to recent experience with the WRWF CCC and consideration for the Guideline’s suitability specifically for wind farm developments.

Overall Comment

The Draft Community Consultative Committee Guidelines for State Significant Projects provide a useful resource for setting up and managing community consultative committees (CCC). The draft guidelines provide greater clarification for CCCs without being onerously complicated.

The role of the Department of Planning in relation to CCCs and the reporting lines with the Department should be made clearer as part of a statement in the draft guidelines. Individual sections touch on it; however an overview statement would be useful.

The following comments are made to provide for either clarification or greater consistency of the draft guidelines.

Specific Comments

Comment 1

Purpose of the Committee

The Committee may:

7. Provide advice to the company on how to improve community relationships, including in relation to:identifying community initiatives to which the company could contribute;

The above dot point appears to be the only reference that could cover the CCC giving advice around community funds. In the case of White Rock the company will be making a community fund available and a key role of the CCC is seen in advising and guiding the process. It is likely that a local body would provide the administrative framework for such a fund (although yet to be determined) the guidance coming from the CCC will be important. The Draft Guidelines really do not address this issue other than the section in italics above.

Suggest mention of “advice on any community funds” to be included in the paragraph above.

Comment 2

9. Liaise with the Community Consultative Committees of other projects where there are common issues or where there is potential for cumulative impacts,

This is an important point as in the Glen Innes/Inverell area there are currently three proposed wind farm projects and one solar project with a generally overlapping community of interest and an accumulation of both positive and negative impacts. In addition, the specific identity of each project including the company responsible will become clouded in the public mind.

Comment 3

Membership of the Committee

2. Three to five community representatives

The current 2011 draft guidelines for wind farm community consultative committees are ambiguous as to whether host landholders are eligible for membership of the CCC as community representatives. Our current CCC has two host landholders on the CCC reflecting membership from when the committee was first set up some years ago as part of the planning stage of the project.

The proposed CCC Declaration of Pecuniary and Non-Pecuniary Interests form does provide for the declaration of such interests and would appear not to exclude host landholders per se or other applicants by way of having pre-existing pecuniary or non-pecuniary conflicts of interest.

It would be relevant in the case of windfarms, to provide for at least one host landholder representative as part of the composition of the community representatives.

Comment 4

3. One council representative; and

In the case of the White Rock wind farm, the project is situated over two Local Government Areas of Glen Innes Severn and Inverell.

It is suggested that the wording should say “One council representative *per local government area involved*; and”

Comment 5

While State government agencies will not be represented on the Committee, the Independent Chairperson may invite agency representatives to attend particular Committee meetings (on a needs basis).

Suggest wording be amended to say – “While State government agencies will not *have formal membership* on the Committee, the Independent Chairperson may invite agency representatives to attend particular Committee meetings (on a needs basis).

Comment 6

The selection criteria for environmental representatives are:

The criteria refer to the *broader community*. On page 9 there is reference to the *wider community*. Both terms sound similar but lack definition in the context of the CCC.

Is it the community of interest impacted by the project(s); is it a regional, state or national community that could be defined as the broader community?

Also, the circumstances under which an environmental representative would be sought for the committee are not clear.

Comment 7

Alternate representatives

These representatives may act as a substitute for a community representative of the Committee if a member is unable to attend a meeting.

The above wording is ambiguous as to whether an alternate is appointed as a specific alternative to a specific member and so representing a common constituency, or whether as an alternate for any member.

If the intent is for the latter, there needs to be further guidelines as to how this would work. There also needs to be clarification as to the circumstances under which an alternate member could become a community representative.

Comment 8

Committee meetings

If there are a number of Community Consultative Committees within a Local Government Area or region, consideration can be given to establishing a regional Committee, or holding periodic, region-based community information sessions or similar, to consider and discuss cumulative impacts in areas with a high concentration of State significant projects.

The guidelines are silent on who would take the initiative to form such a regional process. I assume it could come from the Department or committees talking to each other. Perhaps this could be included.

Comment 9

Committee funding and remuneration

If the payment by the company of fees or expenses to the Independent Chairperson or to community members raises issues around declarable pecuniary interests, and it is understandable that it does, then it would be better to have such payments at arm's length from the company. An alternative could be payments to be made through or directly from the Department of Planning.

Comment 10

Communication with the broader community

However, only the Independent Chairperson may speak publicly on behalf of the committee. Individual Committee members may make comments to the media or in public forums on behalf of themselves or the stakeholders which they represent, but not on behalf of the Committee.

Suggest the intent of the above paragraph be included in the CCC code of conduct agreement.

Comment 11

CCC Independent Chairperson Nomination Form

The last dot point re remuneration appears to be at odds with Committee funding and remuneration on page 8. Perhaps “*unless otherwise negotiated with ...*” should be included.

Comment 12

CCC Advice on Advertising for Community Representatives

Suggest the criteria should include reference to the code of conduct as well.

There is no specific form in the toolkit for environmental representatives.

Comment 13

CCC Community Representative Nomination Form

This nomination form also covers “*local council / Company representative*”. Whilst it will be constructive for representatives from local government and the company to use the nomination form, the *Nomination Details* as listed do not necessarily all apply to this category of member of the committee and should be qualified.