

A few  
words.



15 April 2016

NSW Department of Planning and Environment  
Resource Assessments & Business Systems  
Attention: Executive Director

Submitted via website: [planning.nsw.gov.au](http://planning.nsw.gov.au)

Dear Sir/Madam,

**AGL Submission on the Revised Community Consultative Committee Guidelines for State Significant Projects**

AGL Energy Limited (AGL) welcomes the opportunity to provide a submission on the Draft Community Consultative Committee Guidelines for State Significant Projects (**Draft Guidelines**).

AGL is Australia's leading renewable energy company with the largest privately owned and operated renewable portfolio in the country. AGL operates across the supply chain with investments in energy retailing, coal-fired electricity generation, gas-fired electricity generation, renewable and upstream gas exploration and production projects. AGL is also one of Australia's largest retailers of gas and electricity with more than 3.7 million customers in Victoria, NSW, South Australia and Queensland.

AGL is committed to working with stakeholders and communities to understand positive and negative impacts of our projects and ensure that concerns are addressed wherever possible. We support and nurture meaningful community participation. Community Consultative Committees are a critical component of AGL's engagement with the local community.

**General Comment**

AGL supports the Draft Guidelines, as they provide communities and organisations clearer guidance on the establishment and operation of Community Consultative Committees (**CCCs**).

Engaging stakeholders during project development and exploration is critical, as well as ensuring ongoing review of the CCC and its effectiveness.

**Purpose of the CCC**

The CCC is an important avenue for a company to consult and receive advice from stakeholders who represent a broad base of views. Representatives on the CCC must have a desire to enable communication between the company and their stakeholder groups. To be effective, all participants must actively engage in dialogue and continued learning.

Representatives on the CCC should proactively seek input from the community to understand issues, topics of interest and to ensure a diverse range of views are fed back to the CCC.

The establishment of a cumulative impact committee would be beneficial for projects where cumulative impacts are of particular concern to a local community. This would limit duplication of other activities and minimises consultation fatigue. The focus of cumulative committees should be proactive and action-orientated, adopting a strategic approach to identifying and resolving priority community issues.

The CCC is also an important avenue to facilitate community partnerships. Partnerships with stakeholder groups which enhance community liveability and mitigate negative impacts, are better placed to succeed where they are a product of collaboration and community participation.

AGL considers that the purpose of the CCC could be further clarified in the Draft Guideline by the following:

1. The CCC should continue to be an advisory committee and not a decision-making body. This should be made clear in the Draft Guideline "Introduction".
2. A link to page 6 - Timing and Frequency of Meetings - could include the recommendation that the CCC is updated on any changes in licence conditions.

### **Criteria for community representatives**

Positions should be voluntary, not paid positions, apart from the Chair whose level of responsibility and skill should be reflected in a paid appointment. However, there should be some form of recognition for CCC members, particularly for community members, who are otherwise not compensated by their place of work to participate in the committee. Many projects can take years to be implemented and committee members are expected to participate in the process for that period. Their time and commitment to the work needs to be recognised, as without it, project outcomes will inevitably be poorer.

If compensation is paid, it would not be appropriate to be paid by the proponent as this would undermine community confidence in the independence of community representatives.

Representation should include at least one council representative from each of the Local Government Areas within the project area.

The number of representatives on the committee should be dependent on the size and complexity of projects and should be determined in consultation with the community group, as well as reflecting stakeholder needs and interest.

Government agency participation can contribute greatly and should be actively considered. The Gloucester Dialogue was a good example of representation by Government agencies, providing an opportunity to answer questions directly, rather than wait until the next meeting.

### **Criteria for environmental representatives**

Positions for environmental representatives should be voluntary, not paid positions, as their place of work is likely to compensate them for their participation.

An important aspect of CCCs is the consideration and discussion of social and economic impacts and opportunities, therefore representation should not be limited to environmental impacts only.

### **Guidance on the conduct of meetings**

Questions for the CCC meeting should be provided to the Secretariat at least two weeks in advance of the meeting to allow sufficient time for responses to be sought from the company or committee members. However, flexibility needs to be maintained for questions to be raised and either addressed or taken on notice at CCC meetings.

### **Conduct of CCC members (Code of Conduct)**

Confidentiality has been addressed in the Guidelines and it should also be regularly articulated that members should not publically discuss the personal views of another individual or of other observers present at meetings.

### **Responsibilities of the company**

Consultation and engagement is a key component to addressing community concerns, therefore an update on communications and engagement would also be beneficial to include in the meeting agenda. Socio-economic considerations and environmental considerations are often of equal importance.

### **Communication with the broader community**

Members have an obligation to represent the information presented at the meetings and the discussions of the group in good faith and non-prejudicial ways to wider community stakeholders.

It may be beneficial for the CCC to nominate a CCC media representative, should they wish to do so. Media training can be provided if requested by the CCC group/representative.

The chair must be independent and should not be representing the project through media – unless specifically requested by the CCC group to be their media representative.

Evaluation, monitoring and reporting should be included in the Guidelines and Terms of Reference for the Community Consultative Committee. This could include the purpose, role and accomplishments of the consultative group, to be evaluated (annually). Success could be monitored by actions/goals achieved and reviewed against the Terms of Reference.

### **CCC member training**

While many CCC representatives will come to the group with established skills, AGL supports company funded training, which is independent of the project proponent, for CCC members who do not have appropriate training through their work place. To facilitate the best outcomes for all stakeholders, training is recommended for participants so they possess an understanding of the nature of disputes and conflict resolution, including the ethical, cultural, economic and importantly, the psychological and emotional factors that often accompany the consultation process for projects.

### **Provision of information by the company**

While AGL supports transparency and dissemination of timely information, consideration should be given to the project development / exploration process when reports are being requested by the committee.

Many projects do not have final engineered designs and environmental management plans in the early stages.

**Frequently Asked Questions**

What are Community Consultative Committees? AGL considers this section is the opportunity to clarify that the Committee is not a decision-making group but has an important advisory role.

We would be happy to discuss any of our submissions.

Yours sincerely,



Tony Chappel

**Head of Government and Community Relations**

**AGL Energy**