



# Hunter Environment Lobby Inc.

April 2016

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

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.

Because HEL strongly opposed the development of the Mt Owen Mine and destruction of over half the Ravensworth State Forest in 1994, we were included as 'Regional Environmental Group' representatives in the conditions of consent for that proposal.

As a member of the Mt Owen Complex Flora and Fauna Interagency Advisory Group from its inception, initially the Mt Owen Mine Advisory Group, HEL has had a continuous engagement with this particular development in all its iterations.

This role has been essential as the Mt Owen mine had the strictest conditions of consent for any coal mine in the area of rehabilitation especially, and HEL has played an essential part in ensuring those conditions of consent were met. The 2004 conditions of consent for the Mt Owen expansion reiterated these strict conditions.

The role HEL has played in the Advisory Group is similar to the Community Consultative Committee (CCC) for the Mr Owen Complex, but with the extra responsibilities of oversight that we believe are vital for all coal mine CCC's.

Recently, with the *Mount Owen Continued Operations Project* (SSD 5850) (MOC) the Planning Assessment Hearing ratified the consolidation of approvals to a single consent. This effectively means that the Flora and Fauna Interagency Group will not function, or will function with no regional environmental representative.

HEL considers that the importance of the present Flora and Fauna Interagency Advisory Group which is now proposed to be disbanded and rolled into the CCC is entirely the wrong move for integrity of the future Ravensworth State Forest, which is the aim of the thorough rehabilitation undertaken by the MOC.

The whole tenor of conditions of consent for this mine was that because Ravensworth State Forest was a publicly owned area of benefit to the community, strict rules needed to be followed brought on by the destruction of Ravensworth SF.

## **On the selection of community representatives**

HEL supports the proposal to have consistency across CCC arrangements in NSW. However, there is no outline in the draft revised guidelines in regard to when and how the proposed changes would be implemented in long standing CCCs. This is an important omission, we believe.

HEL agrees that the updated selection criteria for community and environment representatives outlined in the *Draft Guidelines* are sound, and the proposed advertisement and selection process for members is an improvement on the present situation.

HEL believes that if the Chairperson is genuinely independent, then the outlined selection process, with nominations accepted by the Chair, who then recommends appointments to the Department Secretary, would be satisfactory. However if the Department continues with the current proposal to allow companies to effectively choose the CCC Chair, this would present a problem.

HEL sees that there could be the potential for companies and partial Chairpersons to ensure the make-up of a CCC to make it more friendly to the company's interests, this is not in the interests of the wider community, or the environment.

Decisions about which community representatives to appoint to a CCC should be informed by the stated *Purpose of the Committee* on page 2 of the *Draft Guidelines*, which is essentially to establish a forum to monitor the performance of the mining project against its approval conditions and community expectations.

Transparency is the most important issue when choosing members of a CCC, people having expertise in environmental and social impacts must be the favoured representatives for particular projects.

### **Creation of Regional CCC's**

HEL sees a need for regional CCCs in the Hunter on specific cumulative impact issues, for instance one for regional biodiversity, one for regional water issues, one for rehabilitation and landscape outcomes including voids management CCC and a regional social impact CCC.

The Hunter Regional Flora and Fauna Advisory Committee, as required by the Mt Owen 2004 approval, has never established. HEL considers this regional body to be a critical need in the Hunter Valley to oversee the cumulative impact of mining on biodiversity.

Regional oversight of the management of biodiversity offset arrangements would be another important role for this specific CCC. The inclusion of ecological experts and scientists in the Regional Biodiversity CCC would also provide valuable input.

HEL does not see the Upper Hunter Mining Dialogue having any part of this role, we see it instead as a representative of the Minerals Council plus some well meaning representatives of various groups.

### **Reimbursement of travel expenses**

We see that the cost of travel to CCC meetings by community representatives must be reimbursed as a mandatory requirement of the guidelines. This should not be a discretionary choice of the company. Community members are donating their time under a condition of approval for the project operation.

All the company and Government representatives and the Chair attend CCC meetings as part of their paid work. It is only fair that community volunteers are not left out of pocket for participating in a mandatory process.

### **CCC minutes**

The taking of CCC minutes should be by an independent administrative support officer who liaises directly with the Independent Chair. We do not believe that representatives of the mining company should be entrusted with this task.

It follows that any proposed changes to the minutes must be conducted with transparency, and all members of the CCC must have access to those changes.

HEL is pleased to have the opportunity to make comments on this proposal for Revised Guidelines for CCC's and would appreciate any contact with your department on any queries. HEL can be contacted on [helobby@gmail.com](mailto:helobby@gmail.com)

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Jan Davis', is written over a light grey rectangular background.

Jan Davis

President Hunter Environment Lobby Inc.