

RESOURCES ADVISORY FORUM

MEETING	Number 2
DATE	Thursday 17 March 2016
TIME	1:30 – 4:00pm
VENUE	Hamilton Room, Trade & Investment Centre, Level 47, MLC Centre, 19 Martin Place, Sydney

MEETING ATTENDANCE LIST

Chair: Carolyn McNally, Secretary, Department of Planning and Environment

Present:	Mayor Owen Hasler Todd Hacking Ed Mounsey Sue Higginson Roger Stephen Kate Smolski Lesley Turner Danica Leys Greg Sullivan Dr Wendy Timms	Association of Mining Related Councils Cement Concrete and Aggregates Australia CWP Renewables (alternate for Clean Energy Council) Environmental Defender's Office The Hunter Joint Organisation Nature Conservation Council of NSW NSW Aboriginal Land Council NSW Farmers NSW Minerals Council UNSW School of Mining Engineering
Apologies:	Dr Malcolm Roberts Gabrielle Cusack Andy Honeysett Mayor Col Murray Jeff Angel Alicia Webb	Australian Petroleum Production & Exploration Association Canberra Region Joint Organisation Construction Forestry Mining and Energy Union Namoi Regional Organisation of Councils Total Environment Centre Clean Energy Council
Department of Planning and Environment	Marcus Ray Alison Frame Alex O'Mara David Kitto Oliver Holm Korena Flanagan Stephen Barry Nina Blunck	Deputy Secretary, Planning Services Deputy Secretary, Policy and Strategy ED Resources and Industry Policy ED Resource Assessments & Business Systems ED Resource Assessments and Compliance A/ED Community and Stakeholder Engagement Director, Resources Policy Stakeholder Relationships Manager
University of Queensland	Professor David Brereton Dr Jo-Anne Everingham	Sustainable Minerals Institute The Centre for Social Responsibility in Mining

ITEM	ACTIONS
<p>1. Welcome</p>	
<p>The Chair welcomed members, alternate delegates and representatives from the Centre for Socially Responsible Mining at the University of Queensland. The Chair confirmed the Terms of Reference.</p>	
<p>2. Actions arising from previous meeting</p>	
<p>The Chair ran through the actions from the previous meeting, noting that all items would be closed off after this meeting except for the draft Proponent Engagement Guidelines. Members to be contacted about these draft guidelines in the coming months.</p>	<p>Outstanding action: Proponent Engagement Guidelines.</p>
<p>3. Certainty in the planning system</p>	
<p>The Department provided an overview of the Certainty in the planning system discussion paper. The paper summarised the different views expressed by stakeholders about what certainty means and discusses options for achieving greater certainty through the planning process. There are a range of uncertainties associated with mining e.g. environmental, social and economic outcomes. Risk management is used to manage this uncertainty.</p> <p>There are three main pathways in the planning process where more certainty can be achieved. The Department is focusing on improving all three.</p> <ol style="list-style-type: none"> 1) Upfront strategic planning; 2) A clear framework for the assessment of development applications; 3) Compliance and enforcement activities. <p>Achieving certainty through strategic planning</p> <ul style="list-style-type: none"> • The Department is finalising Regional Plans. Other strategic options include: • Improving baseline information to inform planning decisions; • Policies that ensure certain environmental or social features are recognised; and • Provision of infrastructure and other government-led investments. <p>Achieving certainty through development assessment</p> <ul style="list-style-type: none"> • Development applications must be assessed on merit. • Focus on promoting greater clarity in the assessment system. • Explore how social impacts and cumulative impacts are assessed and how rehabilitation is managed. <p>Achieving certainty through compliance and enforcement</p> <ul style="list-style-type: none"> • Better and clearer conditioning, ensuring they are enforceable. • Prescriptive conditions vs. outcomes-based conditioning – greater scope for adaptive management. • Options for some flexibility for long-term projects to account for changing operational and environmental circumstances. 	<p>Todd Hacking from CCAA to provide examples to the Department on what happens in South Australia and Queensland quarries.</p> <p>The Department to work with Lesley Turner from NSWALC on improving consultation with aboriginal people on planning matters.</p> <p>Members to provide any further inputs to questions posed by</p>

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<p>Members were asked for suggestions of how the Department could improve certainty in these three areas. Suggestions included:</p> <ul style="list-style-type: none"> • Earlier engagement with affected communities; • Examining what happens when mining stops in some regions; • Ensuring aboriginal cultural heritage is included in strategic planning; • Improving education on the planning system, including aboriginal representatives; • Looking at the number of management plans and clarity of conditions; • Improving compliance ethos; • Consistency across government agencies and local government; • Reducing flexibility of Major Projects Offsets Policy; and • Adaptive management. 	<p>the Department on certainty.</p>
<p>4. Frequently raised issues from consultation on Mining SEPP and Integrated Mining Policy including Social Impact Assessment</p>	
<p>The Department provided an overview of the main issues raised during consultation on the Mining SEPP and Integrated Mining Policy. These included:</p> <ul style="list-style-type: none"> • Exclusion zones; • Biodiversity offsets; • Appeal rights; • Non-discretionary development standards; • Cumulative impact assessments; • Post-mining landforms, uses and final voids; and • Social impact assessment. <p>Social Impact Assessment</p> <p>The Centre for Social Responsibility in Mining provided an overview of Social Impact Assessment and facilitated a discussion with members. The Department is interested to hear member’s views at this early scoping stage. They covered:</p> <ul style="list-style-type: none"> • What responsible mining looks like; • The challenges in social impact assessment; • The rationale for doing social impact assessments; and • Key elements of good practice social impact assessments. <p>Members were asked for their views on how social impacts are currently assessed and managed.</p>	<p>Members to contact the Department for any questions or further involvement on social impact assessment. The Department will also contact members on this topic in the coming months.</p>
<p>5. Community Engagement and Community Participation Charter</p>	
<p>The Department provided an overview of how it is improving the way it engages with stakeholders and the community in three ways:</p> <ol style="list-style-type: none"> 1) Engaging early – including to help shape policy decisions; 	

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<p>2) Engaging regularly – through Resources Advisory Forum, regular stakeholder briefings and appointment of a Principal Communications and Engagement Officer in the regions; and</p> <p>3) Engaging communities independently – community meetings at Wollar, Bylong and Tomago. Revisions to the Community Consultative Committee guidelines, currently out for comment.</p> <p>Members were asked for their views on how the Department can improve engagement with stakeholders and the community. Suggestions included:</p> <ul style="list-style-type: none"> • Engage early – both the Department and proponents; • Variety of communication channels; • Two-way feedback; • Direct contact; • Clarity on what’s being consulted; • Keep community informed during process; • Early engagement at pre-Environmental Impact Statement stage; • Improvements to Environmental Impact Statements including reducing size and independence of process; and • Commitment to community participation, building on work from the 2013 White Paper. 	<p>Further detailed discussion on EIS to take place with members out of session.</p> <p>Members to provide any further inputs to questions posed by the Department on community engagement.</p>
<p>6. Measures of success</p>	
<p>The Chair asked members to review the proposed Measures of Success for the group out of session and advise of any suggested changes or questions.</p>	<p>Members to provide comments on the proposed Measures of Success by 8 April, as advised in email of 18 March.</p>
<p>7. Any other business</p>	
<p>The Chair suggested that the Department present on improvements to the Major Projects Website, including tracking of projects, at the next meeting scheduled for 16 June 2016.</p>	
<p>8. Next steps</p>	
<p>The next meeting will be held on 16 June 2016. The Chair advised that the current venue is no longer available to hire so a new location will be found for the next meeting.</p> <p>Key Department contacts will be provided for out of session inquiries.</p>	<p>New meeting location to be advised.</p> <p>Department contacts circulated to members on 18 March.</p>