

MEETING SUMMARY

RESOURCES ADVISORY FORUM

MEETING	Number 5
DATE	Thursday 16 March 2017
TIME	1:30 – 4:00pm
VENUE	320 Pitt Street, Sydney – Waratah Room

MEETING ATTENDANCE LIST

Carolyn McNally, Secretary, Department of Planning and Environment

Chair:

Marcus Ray, Deputy Secretary, Planning Services

	Chris Berry	Canberra Region Joint Organisation (alternate)
	Todd Hacking	Cement Concrete and Aggregates Australia
	Sue Higginson	Environmental Defender's Office
	Kate Smolski	Nature Conservation Council of NSW
	Yuseph Dean	NSW Aboriginal Land Council (alternate)
	Claire Doherty	NSW Minerals Council
	Adair Moar	NSW Farmers
	Owen Hasler	Association of Mining Related Councils
	Beverley Smiles	Total Environment Centre
	Andrew Hope	Namoi Regional Organisation of Councils
	Armon Hicks	Australian Petroleum Production and Exploration Association (alternate)
Apologies:	Roger Stephen	Hunter Joint Organisation
	Kane Thornton	Clean Energy Council
	Andy Honeysett	Construction Forestry Mining and Energy Union
	Wendy Timms	UNSW School of Mining Engineering
Department of Planning and Environment	Marcus Ray	Deputy Secretary, Planning Services
	Alex O'Mara	ED Resources and Industry Policy
	David Kitto	ED Resource Assessments & Business Systems
	Oliver Holm	ED Resource Assessments and Compliance
	Michelle Wood	ED, Legislative Reform
	Hannah Dunn	Director to the Secretary
	Caitlin Brookes	Stakeholder Relationships Manager

ITEM	ACTIONS
1. Welcome	
The Chair welcomed members and alternate delegates and noted apologies. The Chair reminded members about the Terms of Reference, briefly touched on the agenda for the meeting and updated on changes in government administration and structure.	

<p>2. Actions arising from previous meeting</p> <ul style="list-style-type: none"> • Annual reflection report 	
<p>As there were some new members the Secretary highlighted that the RAF is an Advisory forum created to work through issues. It is important that confidentiality of discussions is maintained.</p> <p>Members agreed the Annual Reflection report was an accurate reflection of comments. Members acknowledged that other groups have asked for the same forum and the recommendations are good.</p> <p>The Chair ran through the actions from the previous meetings, noting open items: The Department will incorporate member’s comments into a short annual reflection report and circulate for comment; members to contact Alex O’Mara for any further inputs on the draft Social Impact Assessment guidelines; the Department will update members when the revised SIA guidelines have been finalised and the Department will update members when the revised wind energy assessment framework has been finalised.</p> <p>All these action items are now closed.</p>	
<p>3. Compliance Update</p>	
<p>1. Compliance Update</p> <p>The Department provided an update on compliance and achievements over the past 12 months.</p> <p>Members were asked for their views on any emerging issues and compliance generally. Comments included:</p> <ul style="list-style-type: none"> • Can further clarity be provided on the Department’s risk based approach • The penalties for proponents need to be relative to the compliance breach • Confusion in the community surrounding noise and compliance monitoring by the Department and Environmental Protection Authority (EPA) can this be clarified • Importance of compliance input at the front end of assessment • Audits on sand quarries is an excellent process with 99% compliance <p>Queries by members were clarified.</p>	<p>Members to contact Oliver Holm at the Department for any further queries on Compliance.</p> <p>The Department and EPA to work together to further educate the community on their roles and responsibilities.</p>

<p>4. Environmental Impact Assessment (EIA) Improvement project including Post Approval process</p>	
<p>The Department provided an update on the EIA Improvement project including Post Approval process.</p> <p>Members were asked for feedback and comments were provided in relation to:</p> <ul style="list-style-type: none"> • Preliminary assessment • Abuse of modifications power • Conditions and approvals of consent being skewed in favour of proponents. Management plans not being good enough. • Consultation process for the 7 EIA guides <p>Members queries were clarified by the Department.</p>	<p>Members to contact David Kitto at the Department for any further input on the EIA including Post Approval process.</p>
<p>5. Legislative updates and policy update</p>	
<p>1. Environmental Planning Assessment (EPA) Act</p> <p>The Department provided an update on the legislative updates currently on exhibition until 31 March.</p> <p>Comments from members included:</p> <ul style="list-style-type: none"> • Clarification on the role of the Planning Assessment Commission (PAC) • Terminology on conditions for consent • Clarification on transferrable conditions <p>Members queries were clarified and the Department.</p> <p>2. Social Impact Assessment (SIA)</p> <p>The Department provided an update on Social Impact Assessment.</p> <p>Comments from members included:</p> <ul style="list-style-type: none"> • Concern members of industry are resisting public consultation • The law society is very pleased with the updated SIA • Difficulty regarding extracting information from submission documents <p>Members queries were clarified and the Department.</p>	<p>Members can contact Michelle Wood at the Department for any further queries on legislative updates.</p> <p>The Department to provide an update at the next meeting on the extracting of information from submissions to send to members.</p>

<p>6. Any other business and next steps</p>	
<p>1. Forward work plan 2017</p> <p>The forward work plan for 2017 was agreed. It was noted that the forward work plan may change depending on the government's agenda.</p> <p>The next meeting will be held on 27 July 2017 and agreed agenda items are listed in the forward work plan for 2017.</p> <p>Cumulative impacts is currently an agenda item on the 27 July meeting and the EDO and Minerals Council will send information on cumulative impacts to the Department.</p>	<p>Additional suggestions for the forward work plan 2017 are to be sent to Oona Nielszen.</p> <p>The EDO and Minerals Council to forward information on cumulative impacts to Alex O'Mara.</p>