Social Impact Assessment and State significant mining projects

Community Engagement Forums

6 – 28 July 2016
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In July 2016, the NSW Department of Planning and Environment held a series of stakeholder engagement forums across NSW to inform the development of new social impact assessment guidance for State significant mining projects. The project will also be looking at broader guiding principles that can be applied across other forms of State significant development and infrastructure.

In order to hear a wide variety of perspectives and opinions on how social impacts are currently assessed and managed and any opportunities for improvement, invitations were sent to a range of local community, environment, business/industry and Aboriginal groups and local councils, and each invitee was asked to send a representative. The sessions were facilitated by the NSW Land and Water Commissioner, Mr Jock Laurie, and run in partnership with the University of Queensland’s Centre for Social Responsibility in Mining.

This report provides a summary of the feedback received from the eight stakeholder engagement forums, held on:

6 July – Gunnedah
6 July – Boggabri
7 July – Muswellbrook
8 July – Bulga
19 July – Mudgee
20 July – Lithgow
27 July – Cobar
28 July – Wollongong
Participants identified a number of issues they felt should be considered during the drafting process. The key themes that emerged were:

1. Defining who the affected community is for a social impact assessment.
   1.1. Participants discussed the importance of understanding the impact of social change on the affected local community in all its diversity, including greater recognition of impacts on local community character and changes to the social fabric of a community. It was noted that local context and characteristics will often influence the significance of an impact, e.g. a small influx of new residents might have a large impact in a small town.
   1.2. Participants also noted that social change can have regional, State and intergenerational dimensions that should also to be considered (with climate change cited as an example of the latter).
   1.3. Determining who speaks for a community (or a particular part of a community) and ensuring they report back to and engage with the individuals and/or organisations they represent were raised as challenges.

2. Ensuring affected communities are able to participate in the social impact assessment process in a meaningful way.
   2.1. Participants discussed the importance of informing affected communities earlier about what the project will involve, so that they can better understand the implications and be in a better position to influence and shape decisions and outcomes (rather than just at the development application or Planning Assessment Commission hearing stages).
   2.2. Participants also discussed the importance of ‘closing the loop’ for those who contribute to social impact assessments, being transparent about how input has been used, and giving those who provide input the means to challenge or question how that input has been used or interpreted.
   2.3. The impacts participating in a social impact assessment process can have on individuals and communities (e.g. demands on time, resources and emotions) were identified as an area needing greater recognition.

3. Ensuring social impact assessments are based on good data, both qualitative and quantitative.
   3.1. Participants discussed the critical role of data in helping both communities and decision-makers understand the likely costs and opportunities of a proposal.
3.2. Questions were raised about the adequacy and/or availability of data on key indicators at the local and regional levels. Attention was drawn to a proposal prepared in 2014 by the Gunnedah Basin Health Impact Steering Committee for a study of the health and welfare impacts associated with mining and gas projects in the Gunnedah Basin as an example of how potential data gaps could be addressed.

3.3. Participants also suggested that there should be greater clarity about how far social impact assessments should be projecting/predicting into the future (e.g. beyond mine closure?) and how those predictions should be monitored and reviewed.

4. Improving trust and confidence in social impact assessments through greater independence.

4.1. Participants discussed whether social impact assessments commissioned and paid for by proponents carry a risk of perceived and/or actual bias. It was suggested similar concerns would apply if it was the Government funding and commissioning the work.

4.2. Participants suggested that trust and confidence in the process could be increased by making the process more independent and/or subject to more accountability. Possible options identified included: establishing a fund made up of contributions from proponents, and using the funds to commission work from a pool of social impact assessment practitioners; proponents providing funding to communities to help them engage their own social impact assessment practitioners and/or expert advice and providing a process for resolving issues where assessments/expert opinions do not align; or giving communities a say on which social impact practitioner is engaged by the proponent.

5. Taking a broad view on what types of impact should be captured. Participants suggested that social impact assessments should consider not only the direct social impacts (both negative and positive) of a development proposal, but also consider indirect / flow on social impacts (including any impacts associated with actions proposed to mitigate other impacts) and cumulative social impacts (those linked to the particular development, as well as other developments in the area).

6. Examples of the flow on social impacts and the close relationship this has to economic costs/benefits.

6.1. An example offered by one participant included the observation that consumer attitudes to where their food comes from are changing, and this impacts on how producers can market their product.

7. Greater clarity around how social impacts are weighed up against other factors that must be considered. Participants suggested there should be more transparency around how social impacts are considered by the decision-makers, including the circumstances in which negative impacts could potentially warrant a decision to refuse a development application.
8. Ensuring any mitigation actions are meaningful and both social impacts and mitigation actions are monitored over the life of the project.

8.1. Participants identified a need for stronger linkages between any mitigation measures identified in the social impact assessment, the social impacts they are meant to help address, and the needs of the community where the mitigation would occur.

8.2. Participants discussed concerns about the lack of transparency in how Voluntary Planning Agreements between proponents and local councils are made and the need for engagement with communities about the types of projects funded under this mechanism.

8.3. Participants also suggested that more should be done (and be seen to be done) to monitor and/or follow up on the projections and mitigation measures identified in the social impact assessment after a project has been approved, and respond to changes in circumstances and unforeseen issues.

9. Maintaining clear avenues of two-way communication. Participants expressed strong appreciation and expectations for processes that involved open, transparent and responsive communication between government, companies and communities about potential impacts, the costs and benefits of those impacts, proposed management strategies and reasons for decisions.

10. Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including: concerns about the operation of the broader State significant development process (e.g. what development is classified as State significant and why); likely changes to the State’s energy mix; integration and coordination between different regulatory agencies; concerns about Government responsiveness to representations made by communities; environmental concerns about dependence on groundwater sources; access to insurance; the role and effectiveness of the Planning Assessment Commission; and rehabilitation and closure criteria and the value of landscape scale planning.
Participants identified a number of issues they felt should considered during the drafting process. The key themes that emerged were:

1. Ensuring affected communities are able to participate in the social impact assessment process in a meaningful way.

   1.1. Participants discussed the importance of engaging affected communities in the development of social impact assessments, including having them ‘ground-truth’ projections, assumptions and proposed management and mitigation strategies. It was suggested that there should be an ongoing two-way dialogue that starts early on (before any approvals or concrete plans are in place), and continues through the development application process and the operation and closure stages of a project.

   1.2. Participants also discussed the importance of informing affected communities earlier about what the project will involve (both in the near future and further down the line), so that they can better understand the implications / what to expect and be in a better position to influence and shape decisions and outcomes (for example, relative to being engaged at the development application or Planning Assessment Commission hearing stages). It was suggested that the Government also has a role to play by providing greater clarity and certainty around where mining or extractive activities are likely to occur in future.

   1.3. The impacts participating in a social impact assessment process can have on individuals and communities (e.g. demands on time, resources and emotions) was identified as an area needing greater recognition. It was noted that community advocates have usually been dealing with the same issues for years and are at risk of consultation fatigue and ‘submission burn-out’ (particularly those in smaller communities), making genuine community engagement even more challenging (i.e. if those advocates are not able to speak up, who will?)

2. Ensuring social impact assessments are based on good data, both qualitative and quantitative.

   2.1. Questions were raised about the adequacy and/or availability of data on key indicators at the local and regional levels. Attention was drawn to a proposal prepared in 2012 by the Gunnedah Basin Health Impact Steering Committee for a study of the health and welfare impacts associated with mining and gas projects in the Gunnedah Basin as an example of how potential data gaps could be addressed.
2.2. Participants suggested that a power imbalance exists between affected communities and proponents when it comes to access to data about a proposed project or how an approved project is operating (e.g. real time monitoring data).

2.3. It was suggested the Department, acting in the public interest, could have a bigger role in advising affected communities about what the data will mean for them and answering any questions (as would be simpler than having to navigate multiple sources). It was also suggested that, in order to do this job effectively, the Department should ensure its staff has a sufficiently broad range of backgrounds and skills relevant to the communities they are advising (e.g. background working in agriculture).

3. Improving trust and confidence in social impact assessments through greater independence.

3.1. Participants discussed whether social impact assessments commissioned and paid for by proponents carry a risk of perceived and/or actual bias “mining companies promise you the world and then give you a second hand atlas”.

3.2. Participants suggested that trust and confidence in the social impact assessment process (and the environmental impact assessment process more broadly) could be increased by making it more independent and/or subject to more accountability. Possible options identified included: proponents contributing funds to a pool which the Government can then use to commission studies in the public interest; involving affected communities in the decision about which social impact assessment practitioner to hire; mechanisms to hold social impact practitioners to account and ensure they operate in an impartial way; and supporting affected communities to engage their own ‘experts’ so they are better placed to understand and test the resulting social impact assessments.

4. Taking a broad, whole-of-project view about what types of impact should be captured.

4.1. Participants suggested that social impact assessments should consider not only the direct social impacts (both negative and positive) of a development proposal, but also consider indirect / flow on social impacts (including any associated with steps proposed to mitigate other impacts) and cumulative social impacts (those linked to the particular development, as well as other developments in the area).

4.2. Areas identified as needing greater attention in social impact assessments included: health impacts (physical and mental); changes in local community character and composition over time; the social impacts of ‘twelve hour shifts’ (on mine workers, families, local community group memberships and volunteering / general community participation rates / ‘spirit’); and impacts that occur before a project has even been approved / commenced operation (e.g. acquisition of what was originally productive agricultural land, families leaving the area).
4.3. Another area identified as in need of further attention was the social change that comes with the eventual closure of a mine / multiple mines and planning for the future that comes afterward (ideally from the start). Participants discussed how Boggabri still exists today in large part because of mining, and how it probably would not exist if the industry were to leave tomorrow, given its role as a central source of employment (both direct and via the local businesses that benefit from its custom) and the fact that there are no other industries currently capable of stepping in to take its place. This was not a general endorsement of mining - “I can’t imagine what Boggabri would look like without mining because most of the farm land around here is not in full production because it is owned by the mines”.

4.4. Considering the life-cycle of a mine, participants also raised the idea of employment opportunities for the local community in the rehabilitation stage - “The future is in rehabilitation. There are plenty of jobs in rehabilitating and the planning department needs to get on to these mines about their rehabilitation bonds and not allow them to leave mines in care and maintenance”.

4.5. Participants also discussed how social impact assessments should be nuanced / sensitive to different local contexts and circumstances – e.g. the significance of some negative social impacts might be much greater in a small town or village, relative to a large regional centre. This should also be used to ensure that positive social impacts are distributed equitably, rather than concentrated in the hands of a few. Modelling different possible operating conditions (i.e. both ‘boom’ and ‘bust’) and what would happen if the project does not go ahead were also identified as important.

5. Greater clarity around how social impacts are weighed up against other factors that must be considered. Participants suggested there should be more transparency around how social impacts are considered by the decision-makers, including the circumstances in which negative impacts could potentially warrant a decision to refuse a development application.

6. Ensuring any mitigation actions are meaningful and both social impacts and mitigation actions are monitored over the life of the project.

6.1. Participants discussed the importance of ensuring that social impact assessments (no matter how good) do not end up being just a ‘tick box’ exercise – i.e. they should support real, concrete changes and actions, and help establish clear links between potential negative social impacts and proposed mitigation measures (with Voluntary Planning Agreements cited as an example where this nexus is not always apparent).

6.2. Participants also discussed the importance of having regulators follow up on whether mitigation steps and other commitments made when securing approval are applied in practice, and how projections in the original social impact assessment match reality. It was
noted that social impacts and the communities in which they occur aren’t static, and that there should be sufficient flexibility to allow projections and mitigation commitments outlined in the original SIA to be reviewed and revised at intervals (e.g. every two to five years) over the life of the project to accommodate new information and developments. It was suggested that this could be enforced as a condition of consent, and that there should also be capacity to go back and review and revise consent conditions periodically too. This reflects the discussion around the SIA process being iterative as outlined in the principles discussed by University of Queensland.

6.3. Giving people an avenue of recourse when they are dissatisfied with proposed mitigation strategies that apply to them, or are experiencing impacts that aren’t being mitigated (e.g. an independent arbiter or ombudsman/complaints body) was also suggested as a way of providing more accountability post-approval.

6.4. Participants also raised concerns about the intended and unintended consequences of proposed mitigation strategies and the need to review these on a regular basis. An example cited was biodiversity offset areas and the impact these have on surrounding farmland, specifically feral animal control.

6.5. Looking at the holistic impact of mining on a community with regard to areas of housing as well as the impact on the road network over time.

Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including: concerns about the operation of the broader State significant development process (including what is State significant and why); concerns about the operation of the Voluntary Land Acquisition and Mitigation Policy; rehabilitation and final voids (Qld chain of responsibility legislation); greater integration and coordination between different regulatory agencies; third party appeals; and the effectiveness of the Community Consultative Committee process.

Further feedback received out of session

- Participants provided the following out of session feedback:
  - When a large development puts their case forward for the benefits to a community, expectations are for growth. To achieve this growth, facilities for families to move to a town are needed (e.g. the availability of childcare and allied health services is important for working families). The focus should not simply be on improving ‘hard’ infrastructure e.g. roads, bridges.
  - The introduction of a mine can bring new businesses to an area and, in the case of Boggabri, the absence of an existing industrial area and a bridge crossing the river that could accommodate large loads has led to missed opportunities for gaining new businesses in the town. Without
support from the local council and industry to develop an industrial area, this won't happen and leads to anger, disappointment and a negative view of the companies and Government at all levels. Available developable industrial land (not just land for housing) is therefore an important factor to consider when a new mine/expansion of an existing mine is proposed.

- When a mining development covers more than one shire, there can be issues in terms of which council will see the greatest financial benefit from Voluntary Planning Agreements (VPAs). Smaller towns like Boggabri may take the brunt of the impacts from the mining but receive very little in terms of benefits (whether this is from VPA money or through increase in business or population).

- Sometimes impacts just can't be managed and the opportunity cost of extractive industries is just too high. No must mean no.

- The winners and losers dichotomy is a tool used to divide local communities – splitting business groups in towns from their agricultural base. Rural/town communities are interdependent and fragile.

- We want these projects to be assessed as to whether they should go ahead or not. We want it to be a real assessment not an approval process with mitigation. For example, we want the community to be able to have data to measure whether the community wants to host a mining project.

- Areas needing greater attention in social impact assessments include the areas noted in the Gunnedah Basin Health impacts assessment.
Muswellbrook

Participants identified a number of issues they felt should be considered during the drafting process. The key themes that emerged were:

1. Defining who the affected community is for a social impact assessment.
   1.1. Participants discussed the challenges of defining who forms a part of an ‘affected community’, e.g. communities are complicated, there will usually be different or competing views about a development, and self-interest will often be a factor. It was noted that social impact assessment should be a tool to help navigate this complexity and identify outcomes that work best for the whole community in question (now and in future). Also noted by participants was that social impacts can be felt at the resource allocation and exploration stages.
   1.2. Participants also noted that social change can have regional, State and intergenerational dimensions that should also to be considered. Specific intergenerational issues mentioned by participants included: climate change; the need to plan for the rehabilitation of land after closure to its original (or close to original) landform or to its previous land use (e.g. agriculture); maintaining connections to country and cultural heritage for future generations; and planning for closure, including how to transition in a sustainable way to other industries if needed.
   1.3. Determining who speaks for a community (or a particular part) and ensuring they report back to and engage with the individuals and/or organisations they represent were raised as challenges.

2. Ensuring affected communities are able to participate in the social impact assessment process in a meaningful way.
   2.1. Participants discussed the importance of informing affected communities earlier about what the project will involve (e.g. how many train movements per day), so that they can better understand the implications and be in a better position to influence and shape decisions and outcomes (for example, relative to being engaged at the development application or Planning Assessment Commission hearing stages). It was suggested that there should be more genuine two-way communication and transparent information sharing (including access to expert data and monitoring data held by companies) to promote trust.
   2.2. Participants also discussed how early access to information should include proponents providing communities with a better understanding of the project’s long term plans and prospects, particularly any plans for future expansion. This can be a particular challenge for
those working in the mining industry looking for job security, especially when expansions do not proceed or are uncertain, e.g. the current situation with Drayton South and the AGL Gloucester Gas Project. A discussion was held around whether companies can help diversify a community's local economy during the operation stage of a project as a way to help mitigate issues that may arise following mine closure.

2.3. It was also noted that there should be more consideration about other ways to empower and support local communities to participate in social impact assessments, particularly groups within a community who might be difficult to reach (or who cannot be reached, e.g. if non-disclosure requirements are included in leases or purchase agreements for properties acquired by the proponent) or more challenging to engage (e.g. young people).

2.4. It was suggested that communities might better understand the risk (likelihood, significance) associated with potential negative social impacts if fully informed, and if they feel as though they have had some say about different mitigation options (i.e. in the same way that people understand and accept the risks associated with driving a car), noting people often want a guarantee/assurance that there will be no negative impacts for them at all.

3. Improving trust and confidence in social impact assessments through greater independence in how social impact assessments are commissioned.

3.1. Participants discussed whether social impact assessments commissioned and paid for by proponents carry a risk of perceived and/or actual bias (e.g. by functioning as a project advocacy document rather than an impartial assessment). It was suggested that the main issue is not necessarily who pays for the work, it is who manages it and how.

3.2. Participants suggested that trust and confidence in the process could be increased by making the commissioning process more independent and transparent. Possible options identified included: establishing a proponent-funded trust for funding the assessments (possibly from a pool of approved/accredited/recognised experts); proponents and the community jointly agreeing on the social impact assessment practitioner; and putting accountability mechanisms in place to prevent studies being edited or changed by interested/ commissioning parties.

4. Taking a broad, whole of project view about what types of impact should be captured.

4.1. Participants suggested that social impact assessments should consider not only the direct social impacts (both negative and positive) of a development proposal, but also consider indirect/flow on and synergistic social impacts (including any associated with steps proposed to mitigate other impacts) and cumulative social impacts (those linked to the
particular development, as well as other developments in the area). These need to be considered in short, medium and long-term.

4.2. Areas identified as needing greater attention in social impact assessments included: health impacts (physical and mental); impacts on how a community functions (including future sustainability, quality of soil after rehabilitation, access to essential services, linkages to other communities, and other features that make a particular community ‘thrive’); the social impacts of ‘twelve hour shifts’ and DIDO/FIFO working practices (on mine workers, families, local community group memberships and volunteering); and the social change that comes with the eventual closure of a mine. For closure, it was noted that more should be done to cost and plan for it (and what comes after) at the beginning of the project.

4.3. It was noted that positive and negative social impacts tend to be unevenly distributed in an area (e.g. growth of main centres but decline of smaller towns) and a positive social impact (e.g. higher disposable incomes for workers that can be spent in local businesses) can sometimes be linked to potential negative social impacts (e.g. spending that income on drugs, gambling).

4.4. Participants also discussed whether it’s possible to define ‘tipping points,’ thresholds or clearer limits for particular social impacts, and when the precautionary principle should apply.

5. Ensuring any mitigation actions are meaningful and fair, and that both social impacts and mitigation actions are monitored and able to be adapted over the life of the project.

5.1. Participants discussed how social impact assessments should provide a clear, transparent picture of who the ‘winners and losers’ are, and help decision-makers understand what trade-offs and opportunity costs are involved if the project goes ahead (between different social impacts and between social impacts and environmental, economic or other considerations).

5.2. It was also noted that there needs to be more clarity around how trade-offs should be made and what appropriate, meaningful mitigation looks like. On the latter, there was discussion about the need to avoid triggering perverse flow-on impacts (e.g. air conditioning installed to mitigate dust and amenity impacts requiring more power than a property has access to; a regional water trading scheme set up for mines that is making it difficult for new agricultural activities to enter the market; and loss of agricultural land), as well as the need to ensure that funding made available to a community for mitigation purposes is directed to the most appropriate activities and individuals/groups.
5.3. Participants discussed how social impacts and the communities in which they occur aren’t static, and that there should be sufficient flexibility to allow projections, project conditions, and mitigation commitments to be reviewed and revised over the life of the project to accommodate new information and developments. It was noted that, in the Upper Hunter, increased awareness of, and concern about, social and other impacts appears to reflect both evolving community expectations and understanding as well as an increase in the overall scale and intensity of the industry that came with the ‘mining boom’. The area’s transition away from dairy farming was raised as another example of how we cannot expect things to always stay the same in a community. However, there was appreciation of the difference between adaptive management (with review and adjustments on the basis of emerging evidence) and arbitrary “shifting of the goal-posts”.

5.4. It was noted that it should not be enough to just have a good social impact assessment as part of the environmental impact statement – more important is how that information and analysis is used (e.g. strategic service and land use planning and resourcing, mitigation, and consent conditions), and ensuring there are mechanisms to hold those responsible for managing social impacts to account. For the latter, this includes genuine enforcement and compliance activity (which the Department should be resourced to do properly), and greater clarity around who (proponent, the Government, local councils, communities) is responsible for managing or addressing what impacts and when (e.g. what are the roles of all parties in planning and resourcing the post-mining transition process? Newcastle was raised as an example where industry and the Government have worked together to do this sort of work following the closure of BHP).

5.5. Guidance on how to manage social impacts for developments that have already been approved (particularly those in the Upper Hunter operating under decade old consent conditions) was identified as a challenge that this project will need to carefully consider and resolve.

Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including: developing a policy on what are acceptable final landforms and post-mining outcomes (including bond requirements and policy controlling the sale of leases when projects enter the closure phase); issues with current policies including the Industrial Noise Policy and the Voluntary Land Acquisition and Mitigation Policy; the need to strengthen compliance monitoring and enforcement mechanisms; flow on implications for local governments from SIAs; and the challenge of defining a ‘sustainable community’.

Further feedback received out of session

Participants provided the following out of session feedback:
• Wind farms are a problem for some people living near them, but generally not the landowner (who may have been paid a significant sum of money to house the wind farm). In this regard, it was suggested that there should be remuneration for nearby neighbours of wind farms, and also coal mines.

• Some neighbours of a mine may be subject to dust, noise, visual and light pollution and reduced property values, but receive little or no financial compensation. It was suggested that, if there was an annual payment attached to the land, some people would be more accepting of such projects.
Participants identified a number of issues they felt should considered during the drafting process. The key themes that emerged were:

1. Ensuring affected communities are able to participate in the social impact assessment process in a meaningful way.

   1.1. Participants discussed the importance of informing affected communities earlier about what the project will involve, so that they can better understand the implications and be in a better position to influence and shape decisions and outcomes (for example, relative to being engaged at the development application or Planning Assessment Commission hearing stages). It was noted that this engagement should not end with the assessment / approval stage, but continue over the life of the project (e.g. regular meetings with the local affected community - not just Community Consultative Committees - to provide updates, give monitoring reports, listen to and develop solutions for any issues, share information, and discuss adjustments to strategies).

   1.2. Participants also discussed how early access to information should include proponents providing communities with a better understanding of the project’s long term plans and prospects, particularly any plans for future expansion. It was noted that providing greater confidence that key ‘goal posts’ will not change was also an important part of genuine engagement. It was suggested that the Government also had a role to play by providing greater clarity and certainty around where mining or extractive activities are likely to occur in future (i.e. more up front strategic land use planning).

   1.3. It was suggested that more needs to be done to support local communities to participate in social impact assessments, e.g. facilitating easy, affordable (or free) access to independent advice about what they are likely to face, both in relation to the specific project and the assessment process.

   1.4. The invented term ‘facipulation’ (a hybrid of facilitation and manipulation) was raised as something any community engagement for a social impact assessment (and Government consultation process as well) should avoid – i.e. participants exiting an engagement process with a sense that they have been manipulated.

   1.5. The impacts that participating in a social impact assessment process can have on individuals and communities (e.g. demands on time, resources and emotions) were identified as needing greater recognition. Establishing ‘citizens juries’ with access to experts to engage/testify/give evidence on the community’s behalf was raised as a potential model for efficiently and fairly hearing a diversity of viewpoints.
1.6. Minuted community meetings and one-on-one meetings are both valuable for gathering data for SIA and ground-truthing interpretations.

2. Ensuring social impact assessments are based on good data, both qualitative and quantitative.

2.1. Participants suggested that a power imbalance exists between affected communities and proponents when it comes to accessing data about the potential impact of a proposed project (social or otherwise) and about how an approved project is operating (e.g. real time monitoring data). An example cited was that a consultant or proponent’s approach to risk is different from that of a farmer.

2.2. Access to genuinely impartial data that the community can trust was also raised as an issue, particularly if there are questions or concerns about what is already available and a desire to test the collection methods, modelling or assumptions.

3. Improving trust and confidence in social impact assessments through greater independence in how social impact assessments are commissioned.

3.1. Participants discussed whether social impact assessments commissioned and paid for by proponents carry a risk of perceived and/or actual bias. In this respect, it was also suggested that more needs to be done to guard against potential skewing of SIA reports by improper or corrupt behaviour.

3.2. Participants suggested that trust and confidence in the process could be increased by making the commissioning process more independent and transparent. Possible options identified included: establishing a panel of independent, validated practitioners; giving communities a say about which practitioner is selected; proponents providing funding to communities so that they can engage their own consultants; and resourcing of a citizens’ jury process.

4. Taking a broad, whole-of-process and whole of project view about what types of impact should be captured.

4.1. Participants suggested that social impact assessments should consider not only the direct social impacts (both negative and positive) of a development proposal, but also consider indirect / flow on social impacts (including any associated with steps proposed to mitigate other impacts) and cumulative social impacts (those linked to the particular development, as well as other developments in the area). Participants also noted that social change occurs across time and space and so regional, State/national and intergenerational dimensions should also to be considered.
4.2. Participants also discussed how social impact assessment and management is an extended process, needing tools tailored to suit different stages (e.g. from strategic land use planning and resource allocation decisions, right through to closure).

4.3. Areas identified as needing greater attention in social impact assessments included: the fundamentals of life (land, water and clean air); real estate markets; sources of household water supplies; community identity; community participation rates (noting local social and community activities have been / still are an important part of life in Bulga); local culture and values; impacts on local Aboriginal cultural heritage and the ability to protect and maintain country for future generations; loss of sites of historical importance (particularly in a village like Bulga, which dates from 1820); and impacts on mental health (e.g. stress and anxiety linked to uncertainty, fears about the future, impacts on autonomy, feelings of ‘solastalgia’ or disconnection/lack of belonging/loss/grieving).

4.4. The importance of considering unintended negative flow-on impacts was also raised, with the acquisition of local homes and shops raised as a key example (i.e. unable to find buyers; no longer able to rely on their property as an asset due to decline in value - which can be even more of a challenge for those who may need to move closer to services as they get older; acquired land not being maintained properly, affecting local amenity and character; and uncertainty around whether acquired commercial properties will continue to operate).

4.5. Participants also discussed how social impact assessments should to be nuanced / sensitive to different local contexts and circumstances – e.g. the significance of some negative social impacts might be much greater in a small town or village like Bulga, relative to a larger regional centre like Singleton. Recognition of the differential nature of impacts was also identified as important (e.g. while mine employees on relatively higher wages may be able to cope with increases in the cost of goods and services, other local residents might not be).

4.6. Another topic raised was whether it is possible to define ‘tipping points,’ thresholds or clearer limits for particular social impacts - including when the precautionary principle should apply and a decision should be made to either fundamentally change a proposal or not go ahead altogether. It was suggested that the Department translate what they heard in Bulga and from other sessions into a concrete and definitive long-term policy, rather than ‘guidelines’ that can be easily altered or departed from. It was also suggested that social impact assessments should be impartial and agnostic about the outcome (i.e. should not automatically assume that the project is going to be approved).
5. Ensuring any mitigation actions are meaningful and fair, and that both social impacts and mitigation actions are monitored and able to be adapted over the life of the project.

5.1. Participants discussed the importance of ensuring that, if a project is approved, the potential social impacts are transparently and consistently managed over the life of the project (i.e. the initial assessment, no matter how good, is not enough).

5.2. Participants also discussed the importance of having regulators follow up on whether mitigation steps and other commitments made when securing approval are applied in practice, and how projections in the original social impact assessment match the reality (i.e. self-regulation and monitoring is not enough). It was suggested that consideration be given to requiring Impacts and Benefits Agreements between proponents and affected communities which clearly and transparently document what mitigation steps and other commitments have been agreed, which can then assist with monitoring and provide future accountability.

5.3. Giving communities an independent avenue of recourse for when they have concerns about how the system is working or how processes are being applied / roles are being performed was also identified as important (e.g. an independent complaints mechanism).

5.4. It was suggested that decisions about potential mitigation strategies for negative impacts should take into account the needs and views of those who are experiencing them (particularly in relation to acquisition).

5.5. Guidance for already approved developments (particularly those operating under older consent conditions) on how to manage social impacts was identified as an option this project should carefully consider (i.e. whether there is scope for retrospective application and to address past mistakes).

Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including: the operation of the Planning Assessment Commission and its role as decision-maker; third party merit appeals; operation of the Voluntary Land Acquisition and Mitigation Policy; management of final voids; strategic land use planning; and EPA monitoring regimes.
Participants identified a number of issues they felt should be considered during the drafting process. The key themes that emerged were:

1. Communities needed to be engaged in the development of social impact assessments in a meaningful way.

   1.1. Participants discussed the importance of engaging affected communities in the development of social impact assessments early on, but also throughout the development of the project. This will enable communities to better understand the implications, what to expect and to be in a better position to influence and shape decisions and outcomes.

   1.2. The Government also has a role to play by providing greater clarity and certainty around where mining or extractive activities are likely to occur in future.

   1.3. Communities need to have a clear voice in the development of social impact assessments. At present, communities feel like they have no control. Even where they feel they have been listened to, what gets reported back does not reflect the issues raised or any real attempt to address them. Consultation must be meaningful and not just ‘lip service’.

   1.4. It needs to be clear who has responsibility for engagement with the community: government or industry.

2. Future assessments need to capture certain social impacts, ensuring the full impact is addressed over the full life cycle of the mine.

   2.1. Participants suggested that social impact assessments should consider not only the direct social impacts (both negative and positive) of a development proposal, but also consider downstream social issues (including any associated with steps proposed to mitigate other impacts) and cumulative social impacts (those linked to the particular development, as well as other developments in the area).

   2.2. Social impact assessments should also clearly address the different stages of a development (i.e. construction, operation and closure) to fully understand the impacts on communities over the life of the mine.

   2.3. This should include pre-assessment acquisition as this impacts on communities long before social impacts are assessed - mine proponents often purchase property around a proposed project, sometimes years in advance. This leads to a reduction in population, and the purchased houses are often left vacant (they are not necessarily made available for rent) and can become dilapidated over time).
2.4. The impact of property buy-outs must be closely considered; both the impacts on individuals who are acquired, those who are not (but have impacted properties) and the viability of the remaining community.

2.5. Participants suggested that allowable noise thresholds are not strict enough, and that the Voluntary Land Acquisition and Mitigation Policy (VLAMP) and the current Industrial Noise Policy/proposed Industrial Noise Guidelines allow for major social impacts to go unassessed and unaddressed. Participants suggested that the VLAMP allows ‘health criteria’ for noise and dust to be exceeded and often does not provide adequate compensation. Participants were of the view that a good social impact assessment should assess the application of these policies in relation to baseline data to ensure social impacts are fully understood.

2.6. Also in relation to voluntary acquisition, participants suggested that this process needs to be fairer and easier. Compensation is often too low, allowable noise thresholds are set too low, and acquisition can lead to stranded assets.

2.7. Participants said that the social impact assessment should include post-mining impacts on the community over the long term, such as the use of the mined land, employment prospects, tourism and heritage impacts and impacts on agricultural values like water supply and soil quality.

2.8. Consideration should also be given to any impacts on those services that provide social benefits beyond their primary function, for example community benefits arising from local fire protection, veterinary, petrol station, church and school services. The loss or reduction of these services locally can damage the community.

2.9. The loss of residents can also affect social outcomes and services for the community, for example if the number of volunteers for the Rural Fire Service declines.

2.10. Companies should encourage their employees to participate in the local community.

3. Social impact assessments must be robust and independent, to ensure communities have confidence in the findings.

3.1. Where appropriate, the assessment should study similar communities that were impacted by mining. It should also consider the actual impacts against the predictions.

3.2. Independence of assessment would be important to building confidence in the social impact assessment process. Government is not perceived as independent.
3.3. Participants discussed whether impact assessments commissioned and paid for by proponents carry a risk of perceived and/or actual bias. Further, conflicts of interest must be avoided or, at least, disclosed.

3.4. Participants raised concerns that if proponents were to decide who they consult with as part of the assessment, selective reporting may be used to drive particular outcomes.

4. Government must work to develop trust and confidence in impact assessments.

4.1. Participants suggested that community trust and confidence in the social impact assessment process (and the environmental impact assessment process more broadly) needs to be built.

4.2. Impact assessments could be subject to peer review to ensure the accuracy of predicted impacts and proposed mitigation measures. This would help build confidence in the system. Consultants conducting the assessments and/or the peer review could be drawn from an accredited, independent panel of experts.

4.3. Government could consider providing support or funding to enable communities to better respond to impact assessments.

4.4. Communities could have an opportunity to veto a project.

4.5. Government needs to ensure greater transparency in the assessment process and better communicate the reasoning behind decisions.

5. To support communities affected by mining impacts, better service planning should be considered.

5.1. Participants discussed the importance of ensuring that social impact assessments (no matter how good) do not end up being just a ‘tick box’ exercise – i.e. they should support real, concrete changes and actions, and help establish clear links between potential negative social impacts and proposed mitigation measures.

5.2. Participants suggested that a well-developed and robust social impact assessment could be used to inform future service planning by Government. To better plan services, any assessment of a State significant development should establish a baseline of social, environment and economic activity (including tourism and aesthetic impacts).

Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including:

- Assessment process and impact predictions: current assessments are perceived to be biased toward individual mine operations, predictions should extend beyond the operational life of the
mine, assessments should consider cumulative impacts over the long term, and the need for a diverse economic base and end-of-life options to sustain an alternate economy.

- The full life-cycle of the mine should be assessed - mines might be approved based on a current proposal, but that might be expanded in subsequent years to have a far greater impact than initially assessed.

- The timeframe for community input on proposals is too short: companies spend years developing an application and environmental impact assessment, yet communities only get a six to eight week window to review, understand and respond to lengthy and technical documentation.

- Water access might be considered a social issue as people cannot live where water is not accessible. Current regulatory approaches were questioned, and it was noted there was an over-reliance on communities to report non-compliances. It was also identified that there should be open and timely access to water monitoring data, with independent assessments and auditing.

- Other concerns about the operation of the broader State significant development process: community needs to be involved in Planning Focus Meetings (councils may not be adequately representing the community); rehabilitation and final voids need to be re-considered; greater integration and coordination between different regulatory agencies is required; monitoring and enforcement needs to be effective and transparent (the Government places too much trust in mine operators); and the effectiveness of community consultative committee (membership, chair and communication) should be re-assessed.

**Further feedback received out of session**

- When a large development puts their case forward for the benefits to a community, expectations are for growth. To achieve this growth, facilities for families to move to a town are needed (e.g. the availability of childcare and allied health services is important for working families). The focus should not simply be on improving ‘hard’ infrastructure e.g. roads, bridges. The impacts (e.g. increased demand) on childcare, schools and health services in particular must be considered.

- The introduction of a mine can have significant community and social impacts. In some cases, new businesses might be attracted to an area, while in other cases businesses close down. This can have a significant economic and social impact on the local communities. A similar upheaval may occur when the mine closes down, and similar consideration should be given to this transition process.

- It is unclear what happens if a mine’s actual impact is greater than the predicted impacts. Better communication is needed to explain what compliance and enforcement activity is undertaken and what penalties a mine might face in the event of breaches of their approval conditions.
There is a lack of clear, easy to understand and up-to-date information available to the community, including, but not limited to: exploration activities, approvals, compliance and enforcement, regulatory requirements, operational standards. Where this information is already available, it needs to be better promoted to the community.
Participants identified a number of issues they felt should be considered during the drafting process. The key themes that emerged were:

1. Social impact assessments need to be comprehensive in both the coverage and consideration of issues.
   1.1. Major developments can result in an influx of people into a community. Participants perceived that current arrangements (such as contribution arrangements and/or voluntary planning agreements) do not adequately address the potentially increased demand for community services.
   1.2. The assessment should consider ripple or flow-on effects, which need to be teased out as much as possible and mitigated where necessary.
   1.3. The social impact assessment should ensure that the full costs and benefits of the proposal are explicitly laid out, along with proposed mitigation measures, management responsibility and action plans.
   1.4. The impacts of not proceeding must also be considered. In some cases, where a project has not been approved there have been negative social and economic impacts on communities.
   1.5. Consideration should also be given to the social impacts after mining is completed and the resulting economic transition.
   1.6. Social impact assessments must consider long-term consequences and the sustainability of the community.
   1.7. Participants considered that a key challenge was to value-weight the impacts (and mitigation) of development on vulnerable sectors of the community (e.g. children, aged, chronically ill).

2. The development of social impact assessments must be independent, transparent and characterised by strong and efficient community consultation.
   2.1. Economic and environmental assessments are often undertaken by paid consultants on behalf of a company. As such, communities perceive that some assessments are ‘negligent’ or ‘wilfully distorted’ to find the outcome sought by the company. Greater independence should be required for social impact assessments.
   2.2. A pool of registered and recognised (accredited) consultants could be established.
2.3. A similar model could be developed for other experts, such as advisors on medical health. Alternatively, an existing entity, like CSIRO, could be contracted.

2.4. Participants also raised the importance of transparency in the development of impact assessments. Better transparency will give the community confidence that the full range of potential impacts (positive and negative) have been considered and relevant mitigation actions were considered.

2.5. The community does not consider that it is always adequately consulted and some are negatively affected by past experiences. If engagement is poorly done, it can exacerbate community divisions. Better community consultation is important to build trust and confidence.

2.6. The Planning Assessment Commission’s process of holding community meetings was held up as a positive example. However, a wider range of opportunities and modes of providing input would also be valuable.

2.7. While thorough and extensive consultation would be welcomed, it was noted that the social impact assessment process must try to avoid unduly increasing the ‘time and cost’ burden on communities. Efficient and effective consultation should be prioritised.

Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including:

- Assessments must balance economic, social and environmental issues; one shouldn’t be promoted at the expense of another;

- Major developments are critical to the community and can have positive impacts on local economies, particularly in terms of direct and indirect job growth. However, these issues need to be fully considered (both the positive and negative impacts of growth);

- The issues raised about independence and transparency required in a social impact assessment are applicable to environmental impact statements and economic impact assessments too;

- The Aboriginal community needs to be closely consulted to ensure cultural heritage is protected. Participants noted that land councils were not necessarily ‘reliable spokespersons’ for the broader Aboriginal community and that a wider group should be consulted;

- Environmental impact statements (and hence social impact assessments) occur too late in the mine’s planning process to capture some impacts and affected people are not always
consulted. Instead a scoping exercise should be conducted early on to focus the company's planning processes and provide advance warning to communities about what to expect; and

- Development and planning of proposed mines can last for many years, even if the proposal is rejected (Coalpac was provided as an example). There may be value in a 'culling' process to prevent constant consultation and assessment on variables of projects that do not meet community expectations. It was noted that there were difficulties associated with this proposal;

- Community Consultative Committees are not working. Complaints about blasting, noise, air pollution and loss of property value are not seriously considered and are not recorded in the minutes of meetings. A register of complaints should be kept that is separate to the mining operator and the Committees should include an advocate to support those directly affected;

- There should be notification and consultation prior to the grant of an exploration licence;

- Noise, dusty and water monitoring should not be on the basis of averages as this removes high impact events;

- Councils can have a conflict of interest with any mining proposal - Lithgow City Council had a draft local environmental plan that undermined the ability of some residents to stay in their homes through its proposed zoning. Homeowners would have had to sell to mining companies;

- Those advocating that there are no impacts from mining may have a conflict of interest if they have been provided a monetary amount by the proponent and signed a confidentiality statement;

- There is no Government or non-government agency that a community member can seek guidance from through the assessment process. A lot of the assessment material is scientific. If you are able to make a case it is often difficult to demonstrate that and even if you do it is either overridden because the legislation allows it or because the people who are approving it have been bought off;

- Legislation needs to include that any mine that will change a person's existing environment has to relocate them at the full cost to the mine; and

- Exclusion zones for mines should be at least five kilometres from homes.

**Further feedback received out of session**

Participants provided the following out of session feedback:
• As part of the social impact assessment, similar projects and circumstances should be studied to better understand the impacts on the communities;

• It will need to be clarified how the social impact assessment might affect the decision-making process for proposed mine developments;

• Social impact assessment should be carried out first before any other assessment occurs;

• Mining can be very divisive for communities. Those who are concerned about the impacts of mining are a minority and can be mistreated by the pro-mining majority. Such issues should be considered in social impact assessment, particularly for new mining areas.
Participants identified a number of issues they felt should be considered during the drafting process. The key themes that emerged were:

1. Recognising the importance of socially responsible mining, mutually beneficial contributions, and integration of a mining company with the local community.

   1.1. Participants expressed appreciation for the direct opportunities and benefits they get from mining, especially from voluntary efforts and contributions by socially responsible companies. Participants noted the interrelationships between social, economic and environmental factors – it was recognised that the profitability and good management of a mine could have positive flow on effects for the community e.g. through the mine’s ability to financially contribute to community facilities and local causes and Landcare programs.

   1.2. Participants discussed management decisions and personal relationships (e.g. between mine managers and the community) as key factors which can influence the social impacts (positive and negative) of a mine. In some cases, mine management may make significant contributions to the community on a voluntary basis, but the next mine manager can always put a stop to this.

   1.3. Participants noted that the social impact assessment process is not necessarily able to influence the contributions of a mine to a community, as many decisions are at the discretion of the mine manager. Participants were keen to maintain the relationship-based identification of shared priorities and improvements that bring mutual benefits (even improved liveability and attractiveness of town), but noted that there could be benefits of building a structure around the social impact assessment process, to enhance benefits and capitalise on opportunities, and ensure the expectations and preferences of the community are recognised and recorded (e.g. for a mine to become part of the community and help to facilitate other economic opportunities; for workers to live in the town wherever possible).

   1.4. Participants noted that the social impact assessment process (and other mine practices such as regular public meetings) can serve a valuable function in initiating and maintaining open, honest dialogue – for instance, giving a heads up about likely changes, allowing discussion about ways to ensure the viability of all local businesses and how they can weather the slumps together.

   1.5. Participants suggested that local procurement strategies that don’t foster over-dependence but do leverage the mining industry presence should play a part in the
social impact assessment process e.g. by structuring (and potentially incentivising) local procurement.

2. Ensuring the local community is listened to and supported by the Government, and is able to participate in the social impact assessment process in a meaningful way (including through the contribution of local knowledge and experience in relation to impacts and mitigation measures).

2.1. Participants expressed concerns that the community is left to its own resources and does not receive its fair share of funding (e.g. for community infrastructure) – in particular, that money from royalties that are paid by the mine to the Government do not necessarily flow back to the community.

2.2. Participants discussed the importance of engaging the local community in the development of social impact assessments, including having them ‘ground-truth’ projections, assumptions, and proposed management and mitigation strategies. The community, local businesses and the local council will likely know what the town needs, how money should be spent, and how impacts will be felt better than anyone else. Even where infrastructure is planned as part of a mitigation response, it can be targeted to be of maximum utility for the mine and community – especially if those with local knowledge are jointly involved in planning and implementation. The value of local knowledge and local involvement (to give ownership) was stressed – especially in remote communities that have a history of ‘helping themselves’ and exhibiting resilience to change.

2.3. Participants noted the importance of investing in the ‘soft infrastructure’ that is necessary to support the liveability of the town and service families and mine workers, rather than simply investing in ‘hard’ infrastructure (roads, toilet blocks etc.). Suggested examples included: ensuring hospitals/medical centres are adequately staffed and equipped to meet the needs of the local community, i.e. have the capacity to deliver services that are commonly needed in a mining town, such as: treating fractures and delivering babies; waste services, child care, family services, social services and staffing of schools.

2.4. Participants noted that the local council should have more input in mining project decisions, due to their local knowledge and experience. They currently only have a limited role (during the public comment period) and feel that they are left to manage local repercussions post-approval.
3. Ensuring social impact assessments take a broad view about what types of impacts should be captured, are based on good data (both qualitative and quantitative), and are tailored to the unique characteristics and circumstances of the affected community.

3.1. Participants suggested that social impact assessments should consider not only the direct social impacts (both negative and positive) of a development proposal, but also consider indirect / flow on social impacts (including increased need and expectation for services e.g. police, hospitals, schools).

3.2. Areas identified as needing greater attention in social impact assessments included: the ‘fit’ of a development or initiative to community, regional and council plans and initiatives; the cumulative impact of sequential or concurrent proposals (needs to be better oversight and coordination); the social impacts of mine management decisions, employment strategies (targeting people with young families / settling down age) and changes to the industry over time, such as the advent of FIFO (fly in, fly out) and DIDO (drive in, drive out) working arrangements (where workers use the town’s facilities but may not contribute anything to the community) and the introduction of seven day on / seven day off rosters (resulting in workers being more likely to leave town during ‘off days’ – this has impacts on families, local community group memberships, sporting clubs and volunteering / general community participation rates / ‘spirit’); impacts that occur over the life of a project (e.g. families leaving the area); and ensuring that positive impacts are fed back into the local community. As an example of the importance of assessing and mitigating cumulative impacts of changes (and better oversight and coordination), participants noted that when more than one mine changes working rosters, this can have much more significant impacts for the community than if it was only one mine.

3.3. Despite raising the impact of FIFO/DIDO working arrangements, participants recognised that there are complex factors driving this practice and mines may not be viable without some use of it (it is not always possible to fill all positions in a mining company with people living in the town due to the need for specialist skills / qualifications and the reality that those with the necessary skills/ qualifications may choose to live elsewhere and commute).

3.4. Participants also discussed how social impact assessments should be nuanced / sensitive to different local contexts and circumstances – considering the unique characteristics of a particular town is important (Cobar is significantly different to other regional towns such as Dubbo or Broken Hill), as is recognising that the
significance of some negative social impacts might be much greater in a small town or village, relative to a large regional centre.

3.5. Participants noted the importance of being clear on how a mine will ‘fit in’ to the community. Rosebery (Tasmania) was cited as an example of a place that changed from a mining town to a town with a mine.

3.6. Questions were raised about the adequacy and/or availability of data on key indicators at the local level (e.g. the upcoming Census will not capture the vast number of people who travel through Cobar and support local businesses).

4. Ensuring social impact assessments anticipate and address impacts that may occur over the whole lifecycle of a mine.

4.1. Participants highlighted the importance of taking a long-term view and recognising the inherently temporary and volatile nature of developments such as mining. In this regard, participants discussed the importance of considering impacts that will be incurred over the life cycle of a mine (e.g. in 10, 20, 30 years time), including how the increased demand for services will be met by the Government over this time and how impacts on the community and local economy can be minimised and mitigated at the end of a mine’s life. The importance of allocating responsibility for addressing or mitigating these impacts, and ensuring that any commitments / undertakings are met, was raised.

4.2. Participants noted that the social change that comes with the eventual closure of a mine / multiple mines and planning for the future that comes afterward needs to be considered as part of a social impact assessment (ideally from the start). Participants discussed how Cobar exists today because of mining, and how it probably would not exist if the industry were to leave tomorrow, given its role as a central source of employment (both direct and via the local businesses that benefit from its custom) and the fact that there are no other industries currently capable of stepping in to take its place.

4.3. Considering the life-cycle of a mine, participants also discussed the importance of encouraging the establishment of other industries to increase the town’s resilience. Fostering community development and fostering resilience in the broader local economy are long-term initiatives that can’t be the responsibility of one company alone but may need to be coordinated. Participants suggested that plans should be made to ensure that operational strategies and mitigation measures, have an eye to the ‘legacy’ and the town / region being better off for having had the period of mining.
Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including:

- The impact of carbon offsets on communities e.g. while many people (especially close to town with suitable holdings) are using the income from carbon offsets to re-invest in the rest of their property and make it more productive, others have taken the profits and moved elsewhere, (which can deplete social capital and have impacts on the local economy);

- Concerns that Voluntary Planning Agreements (VPAs) are not necessarily linked directly to mitigating impacts.
Participants identified a number of issues they felt should considered during the drafting process. The key themes that emerged were:

1. Ensuring that the feedback provided by residents and communities on social issues is taken into account in the decision making process.
   
   1.1. Participants discussed that in previous meetings and engagements, many members of the community had committed significant resources to provide comments which were not felt to have been taken into account by decision makers.
   
   1.2. Participants raised that in reports and documentation around decisions made on mining projects, there is often no evidence that the submissions made by the community have been taken into serious consideration. Clarity over how the current merit assessment process operates and what weightings are given to different factors was requested. Generally, there was a sense of distrust that the feedback provided by affected residents held any weight in the decision making process of Government (or the Planning Assessment Committee).
   
   1.3. Greater transparency across all stages of assessment was a recurring theme throughout the forum and the Department was perceived to be too closely connected to the mining industry and to be (conscious or otherwise) pro-mining.

2. There is a need for a robust and transparent monitoring and compliance program to support any outputs of the social impact assessment and approvals process.

   2.1. Participant’s perceptions were that the Department had historically not placed significant emphasis on the monitoring or enforcement of conditions of consent for mining projects. Breaches of conditions have been perceived to be ignored or “swept under the rug”.

   2.2. There has been a significant social cost to affected communities and volunteers who dedicate significant resources to involve themselves in the monitoring of conditions of consent and “fight” with the Department to ensure the enforcement of conditions and punishment of breaches.

3. Current EIS and social impact assessment processes have several deficiencies

   3.1. Participants expressed a general scepticism of the use of modelling as a method of evaluating social and environmental impact, particularly regarding studies funded by the proponent of a mine or even the Government. An example was provided in
relation to impacts on upland swamps and the wide variation between impacts identified in models provided by various parties.

3.2. Participants raised that the multiplier effect for employment was greatly overstated in the economic justification for mining projects. A multiplier effect of around 4 was often cited, through participants stated that around 1.6 – 2 was a more accurate figure.

3.3. Participants stated that while summaries and responses to submissions are prepared in the finalisation of an EIS, these are prepared by the proponents of the development. This was considered a major detriment to the adequacy of these responses in properly addressing the concerns raised by affected communities.

3.4. Participants expressed concerns that while other State agencies such as the Office of Environment and Heritage may submit detailed submissions in objection to proposals, they do not have any ability to otherwise influence the decision made by the Department (or the Planning Assessment Committee).

3.5. Documentation in the current EIS process was seen to be far too lengthy, rendering it unfeasible for a community member to provide informed feedback on a project without investing significant time and effort.

4. EIS and social impact assessment needs to be holistic and fully integrate all aspects of a project.

4.1. Participants raised that while EIS documentation addresses some individual impacts of a project, there is no illustration of how all the impacts of the project will affect the community as a whole.

4.2. Participants raised that the context and history of mining in Wollongong was not considered in the social assessment of projects, for example, previous mining accidents and the legacy left behind from many decades of mining in the area.

4.3. Social impact assessment should also take into account the cumulative impact of projects. Examples included the measurement of additional truck movements to the existing road system and groundwater impacts.

5. Social impact assessment needs to be iterative and responsive to emergent issues and shifting economic cycles.

5.1. It was acknowledged that mining projects extend over long timeframes and will often change significantly from what was initially proposed. As these projects change, the social impacts on a community may vary significantly from what has been identified
in any initial social impact assessment. Opportunities should be provided to iteratively review social impact assessments as projects progress and new issues appear.

5.2. Good social impact assessment needs to take into account the boom and bust cycles of the economy and the mining sector. Proposed benefits used in the justification of mining projects may not be realised due to economic downturns, which need to be considered in any assessment.

5.3. Participants expressed a view that inaccurate assessment of employment figures and economic outcomes based on previous coal prices can present a misleading description of the relative health of the industry. This has a social cost as certain workforces may hold unrealistic expectations of the wages available to them (as taken from boom points in the cycle).

6. Other significant factors participants wanted considered included:

6.1. Water Quality – This is a particular concern for Wollongong due to the significance of the area as a water catchment. Some mining operates under the water table in this area and as such many negative impacts are harder to recognise.

6.2. Health – participants raised that in the USA, health impacts and deaths from mining are documented and that there was perceived to be no requirement in NSW to assess the impact of a project on public health, though participants believed it was a major social cost.

6.3. Biodiversity – Example given was impacts on endangered ecologic communities because of swamps drying out as a result of mining.

6.4. Other externalities including grief and mental health – environmental degradation was perceived to have a significant negative impact to the wellbeing of affected communities.

7. Future and viability of the mining industry in NSW

7.1. Participants expressed a concern about the viability of specific mines within the Wollongong region, and the viability of the mining industry as a whole. Mines being supported by parent companies were seen by participants to be at significant risk of collapse without fulfilling any of the proposed benefits of the mine or being able to action the rehabilitation necessary for the sites.

7.2. A view was expressed that in the past, where mines had been Australian owned and profits had gone back into the Australian economy, certain environmental and social
impacts from mines could be overlooked. With offshore ownership of mines, the area was suggested to receive all of the negative impacts of mining without retaining any of the benefits.

7.3. Global warming was seen as a considerable issue and argument against the long term viability of mining. Participants expressed a view that the greenhouse gas emissions created from the use of coal needed to be taken into account in the assessment process, even when the coal is used overseas.

7.4. Extended timeframes and uncertainty around mining projects was considered to be a major source of stress for residents and the local community. This uncertainty was also believed to have negatively contributed to the social cohesion of the area, due to a divide between those employed by the mining industry and affected residents.

Participants also identified a number of issues that went beyond the session’s immediate focus on social impact assessment, including: discrepancies in tone and position between the body of reports and final decisions handed down by the Planning Assessment Commission; concerns about future rehabilitation of mine projects and proponents that do not have the resources to fulfil their commitments; the role of local government in the assessment process for State significant projects; subsidence caused by mining; and concerns about the NSW Government energy mix.

**Further feedback received out of session**

Participants provided the following out of session feedback:

- Social impacts of mining will vary greatly between different locations, which makes it very difficult to identify key ‘general principles’ of social impact assessment. Participants suggested that a solid contextual understanding of location-specific impacts is essential to good social impact assessment.

- Future generations should be included in a social impact assessment. Participants were of the view that mining rehabilitation is never completely successful and suggested that cumulative underground damage may not be realised for many years.

- While impacts such as grief may be difficult to measure in the social impact assessment process, it is important that these are not ignored as they are very real to members of the community suffering from health impacts due to particulate pollution.

- To increase transparency in the consultant report process, a pool of independent consultants could be chosen by Government, with funding drawn indirectly from all mining companies who are required to utilise the resource.