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Submission from Central West Environment Council.

Subject: Inquiry into factors shaping social license and economic development outcomes in critical minerals projects across Australia.

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To whom it may concern,

Introduction

Central West Environment Council welcomes the opportunity to provide this submission to the house Standing Committee on Primary Industries inquiry into factors shaping social license and economic outcomes in critical minerals projects across Australia. We recognize that critical minerals are often presented as essential to energy transition, regional jobs, and national economic security. However, these objectives cannot be achieved at the expense of community health, water security, biodiversity, cultural heritage or the rights of Traditional Owners and local communities.

Social license is not a public relations exercise and cannot be manufactured after key decisions have been made. It depends on transparent decision making, early and continuous engagement, respect for evidence presented by affected people, enforceable environmental protections, and the willingness of governments and proponents to say no where impacts are unacceptable.

Lessons from the NSW metals mining inquiry

The committee should have particular regard to the previous New South Wales Parliamentary inquiry into the current and potential impacts of gold, silver, lead and zinc mining on human health, land air, and water quality. That enquiry was established in response to serious community concerns about mining impacts, including serious concerns associated with dust, water contamination, heavy metals exposure and the adequacy of regulatory responses. The final report recorded substantial evidence from impacted communities and examined the assessment and regulation of projects such as Cadia, Bowdens Silver and lead mine at Lue and McPhillamy's gold proposal.

For many regional residents, the inquiry demonstrated the failure of existing processes to properly hear, acknowledge, and act on community evidence. Local people and groups who had provided detailed submissions and testimony reported that their lived experience, health concerns and environmental observations were not adequately reflected in the final conclusions. Public reporting at the time noted criticism that significant evidence and proposed recommendations were removed or weakened, while the regulatory framework was described as ultimately sound despite extensive community concerns.

This experience is directly relevant to the present inquiry. Communities cannot be expected to accept new critical minerals projects where previous inquiries, assessments of approval processes have left them feeling ignored, dismissed, or misrepresented. A durable social license requires not only opportunities to speak but credible evidence that community input has changed outcomes.

Engagement must be early, meaningful and ongoing.

Engagement with local communities, environment groups, Traditional Owners, councils and other stakeholders must occur before exploration and project design decisions are effectively locked in. Too often, consultation occurs after proponents have already selected project footprints, infrastructure corridors, water sources, and waste management arrangements. This creates a perception that consultation is procedural rather than substantive.

Meaningful engagement should include accessible information, independent technical advice funded by proponents but chosen by communities, adequate time frames for review, public release of monitoring data, cultural appropriate processes for Traditional Owners, and clear written reasons explaining how issues raised by stakeholders have been accepted, rejected or incorporated into project conditions.

Stronger rules for consent authorities

Consent authorities must be required to apply stronger, clearer, and more precautionary rules when assessing critical minerals projects. These rules should include mandatory consideration of cumulative impacts, independent health impact assessment, protection of water resources, climate and biodiversity impacts, rehabilitation liabilities, cultural heritage, and the social impacts of boom-bust development on regional communities.

Approval bodies should not be permitted to treat economic benefits as outweighing unresolved risks to health, water, biodiversity and cultural heritage. Nor should they rely heavily on proponent funded assessments where communities lack equivalent resources to collect evidence. Conditions of approval must be enforceable, independently monitored, and capable of being varied, suspended or revoked where impacts exceed predictions.

No-go zones and federal nature reform

CWEC supports the identification of clear no-go zones for development through stronger federal laws and regional planning. Recent federal environment law reforms emphasize stronger environmental protection, more robust project assessment, greater accountability and transparency, and the development of National Environmental Standards. Public discussion of the reforms has also highlighted the value of identifying areas where development should not proceed because environmental, cultural or community values are too significant or too vulnerable.

No-go zones are essential to restoring public trust. They must include areas of high biodiversity value, threatened species habitat, critical water catchment, important agricultural land, significant national heritage, and places where traditional owners do not provide free, prior and informed consent. Identifying these ones upfront would reduce conflict, provide greater certainty for communities and proponents, and prevent expensive assessment processes for projects that should never have been approved.

Recommendations.

1. Require early, ongoing, and independently facilitated engagement with local communities and other stakeholders before exploration and project design decisions are made.
2. Require consent authorities to publish detailed reasons explaining how community evidence, local knowledge and Traditional Owner views have influenced assessment outcomes and approval conditions.
3. Mandate independent health impact assessments and cumulative impact assessments for critical minerals projects, with particular attention to dust, heavy metals, water quality, air quality and long-term exposure risks.
4. Ensure Traditional Owners have access to culturally appropriate processes, independent advice, and genuine decision-making power, including respect for free, prior and informed consent.
5. Strengthen approval conditions, monitoring and enforcement, so that predicted impacts are evaluated against real world outcomes, and breaches result in meaningful consequences.
6. Embed no-go zones in federal and state planning frameworks, including areas of high biodiversity value, critical water resources, significant cultural heritage, and places where impacts cannot be avoided or consent has not been freely given.
7. Ensure economic development claims are independently verified and balanced against long term environmental, health, cultural and social costs.

Conclusion

Critical minerals development will only ensure enduring social license if communities can see that consultation is genuine, evidence is respected, consent is meaningful and environmental limits are upheld. The lesson from the NSW metals mining inquiry is that communities lose trust when they provide evidence, but do not see it properly acknowledged in decisions. The present inquiry should recommend a stronger framework that places community health, water, biodiversity cultural heritage, and Traditional Owner rights at the centre of critical minerals policy.

Yours sincerely

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